

# Language Access Gap Analysis, Survey Results, and Policy Recommendations

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## Nimdzi

Tucker Johnson  
Alyssa Yorgan  
Bill Rivers

*City of*  
**SACRAMENTO**  
Office of the City Auditor

*Performance Audit Division*

Jorge Oseguera, City Auditor  
Lynn Bashaw, Assistant City Auditor



The City of Sacramento's Office of the City Auditor can be contacted by phone at 916-808-7270 or at the address below:

915 I Street  
MC09100  
Historic City Hall, Floor 2  
Sacramento, CA 95814

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# Table of Contents

- Executive Summary.....5**
- Introduction .....6**
- Background .....6**
  - Federal and State Guidance on Developing and Implementing Language Access Services ..... 6
  - Local Agency Standards ..... 8
- Study of Language Access Policies in Other California Cities .....8**
- Community Member Language Access Survey.....11**
- Language Access Services Offered by the City of Sacramento .....14**
  - Telephone Interpretation Services ..... 14
  - On-Site Interpreter/ Translation Services..... 15
  - American Sign Language (ASL) Interpretation Services ..... 16
  - Bilingual City Employees ..... 16
  - Written Material ..... 17
- Factor 1: Number and Proportion of LEP Individuals in the City of Sacramento .....18**
  - Spanish is the Most Prevalent Non-English Language Spoken at Home ..... 18
  - More than 40% of Respondents Did Not Know How Often LEP Data Was Being Updated ..... 20
- Factor 2: Frequency and Type of LEP Encounters.....22**
  - Some City Employees Who Engage with LEP Individuals Do Not Know How to Use the City’s Language Access Services..... 24
  - The City Should Train Staff on How to Respond in Situations Where a Minor or Family Member is Asked to Serve as an Interpreter ..... 26
  - City Employees Should Be Trained on the Use of Bilingual Staff..... 28
  - The City Should Consult Best Practices When Developing LEP Websites and Digital Services ..... 30
- Factor 3: Relative Importance and Nature of the Benefits or Services that the Program Offers .....32**
  - The City Should Identify Vital Documents and Determine if they Should be Translated ..... 32
  - City Employees Should Be Trained on How to Determine if an Individual is LEP and How and When to Offer Language Assistance..... 35
  - The City Should More Proactively Inform the Public About the Availability of Language Access Services..... 37

The City Should Provide a Complaint Process so that LEP Individuals Can File a  
Complaint if they Receive Poor Service ..... 41

**Factor 4: The Resources Available in Relation to the Cost of Providing Language  
Services ..... 42**

**Appendix: Language Access Survey Questions for Community Members and LEP  
Individuals ..... 43**

**Department Response..... 50**

### BACKGROUND

The City Auditor’s Office partnered with the City Manager’s Office and third-party consultant Nimdzi Insights, LLC. to perform a language access gap analysis, conduct surveys, and provide recommendations for improvement. Nimdzi Insights, LLC is a market research and international consulting company that works with language services providers, enterprises, and government agencies.

### METHODOLOGY

Over the course of this project, Nimdzi Insights, LLC interviewed City of Sacramento employees, administered a citywide employee survey, and conducted outreach to community groups and community members.

Overall, Nimdzi Insights, LLC found that the City has mechanisms in place to assist limited English proficient (LEP) individuals with language access resources. In many cases, City staff make efforts to reach the City’s LEP communities. However, implementing the recommendations outlined in this report can help to improve and expand these efforts.

### SURVEY RESULTS

The survey of City employees found that employees were not always aware of the language access resources the City provides, or in what situations to offer language services, and that additional training is recommended.

The survey of LEP community members found that community members are not always aware of the language services the City provides and that additional marketing and language service efforts are recommended.

### RECOMMENDATIONS

Nimdzi Insights, LLC made several recommendations aimed at improving language access services.

Recommendations include:

- Periodically tracking changes to the City’s LEP populations.
- Providing more language access services in Spanish, the most frequently encountered LEP language.
- Applying additional language services resources towards programs that serve a higher proportion of LEP individuals.
- Increasing marketing to LEP individuals on the availability of language access services.
- Offering a complaint process to use if such services are not provided or are of poor quality.
- Providing employee training on identifying situations that would benefit from an interpreter.
- Providing guidance on understanding which situations would benefit from professional language resources vs. using bilingual City staff.
- Formulating procedures for identifying vital documents that would benefit from written translation; and
- Consulting LEP.gov guidance on the use of websites and multilanguage digital content.

### NEXT STEPS

A Language Access Policy is currently being drafted by the City Manager’s Office to address areas for improvement that were identified by the gap analysis and survey results.

## Introduction

In accordance with the City Auditor’s 2022/23 Audit Plan, we have completed the *Language Access Gap Analysis, Survey, and Policy Recommendations*. We conducted this analysis in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Both the City Auditor’s Office and the City Manager’s Office had been tasked by City Council with evaluating the City’s language access services. For the sake of efficiency and not to duplicate efforts, the City Auditor’s Office partnered with the City Manager’s Office and third-party language services provider Nimdzi Insights, LLC to review language access best practices, compare it to the City’s current practices, survey City employees and community members, and provide recommendations for improvement. Nimdzi Insights, LLC is a market research and international consulting company that works with language services providers, enterprises, and government agencies. The City Auditor’s Office worked with Nimdzi Insights, LLC to maintain independence and to form our own separate conclusions based on Nimdzi Insights LLC’s work. The City Manager’s Office retains responsibility for the policy development process.

The purpose of this document is to detail Nimdzi Insights, LLC’s findings on the provision of language access and to provide recommendations for the procedures and protocols that will shape the City’s language access policy currently being developed by the City Manager’s Office.

## Background

According to the United States (U.S.) Census, the U.S. is home to over 70 million individuals who speak a language other than English in the home; this is equivalent to 22 percent of the overall U.S. population.<sup>1</sup> An estimated 25 million Americans, ages 5 and up, speak English “less than very well”. Language translation and interpretation services help to ensure access to important information and activities offered to the public. Determining how and when these services are delivered can be a complex matter that requires collaboration and feedback.

## Federal and State Guidance on Developing and Implementing Language Access Services

Nimdzi Insights, LLC reviewed federal and state law, regulations, and guidance on language access services to use as a benchmark in evaluating the City’s language access services and in providing recommendations for improvement. While the City of Sacramento may not be *required* to adhere to much of the guidance referenced in this report, this guidance can be leveraged to assist the City in developing a language access policy and in ensuring robust language access services are available to the community.

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<sup>1</sup> U.S. Census American Community Survey. *S1601 Languages Spoken At Home*. 2019: ACS 1-Year Estimates Tables. [https://data.census.gov/cedsci/table?t=Language%20Spoken%20at%20Home&g=1600000US0664000\\_310XX00US40900&tid=ACSST1Y2019.S1601](https://data.census.gov/cedsci/table?t=Language%20Spoken%20at%20Home&g=1600000US0664000_310XX00US40900&tid=ACSST1Y2019.S1601)

Executive Order 13166 *Improving Access to Services for Persons with Limited English Proficiency*<sup>2</sup>, issued by President Bill Clinton in 2000, states that recipients of federal funding have a responsibility to ensure meaningful access to their programs and activities by persons with limited English proficiency. “LEP” is an abbreviated term used in Executive Order 13166 to describe individuals that are limited in their English proficiency. In general, individuals who have a limited ability to read or write the English language are considered LEP.

Federal guidance issued by the U.S. Department of Justice in 2002 to supplement Executive Order 13166<sup>3</sup> recommends that agencies conduct a four-factor analysis when determining the extent with which to provide language access services. These factors include:

1. The number or proportion of LEP persons eligible to be served by the program.
2. The frequency and type of LEP encounters.
3. Relative importance and nature of the benefits or services that the program offers.
4. Resources available for the program in relation to the cost of providing language services.

The guidance states that it is intended to suggest a balance that ensures meaningful access to critical services while not imposing undue burdens on small business, small local governments, or small nonprofits.

In 2011, the U.S. Department of Justice Civil Rights Division issued the *Language Access Assessment and Planning Tool*<sup>4</sup> to help agencies evaluate their language assistance services and to draft language access policies. The figure on the right shows the steps involved in conducting a self-assessment and considerations for developing a language access policy. These steps include identifying LEP communities, training staff, providing notice of language services, and monitoring the progress of implementation. The guidance notes that language access policies will differ depending on the nature of the agency and its points of contact with the public.

The LEP.gov website provides a list of several federal agencies that have enacted language access policies that can be found at <https://www.lep.gov/language-access-plans>.

California Government Code Chapter 17.5 *Use of a Foreign Language in Public Services* (also known as the Dymally-Alatorre Act) requires California State agencies that serve a

**Figure 1: Language Access Self-Assessment Steps**



Source: U.S. Department of Justice, Civil Rights Division. *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs*. 2011.

<sup>2</sup> U.S. Department of Justice, Civil Rights Division. Executive Order *13166 Improving Access to Services for Persons with Limited English Proficiency*. <https://www.justice.gov/crt/executive-order-13166>. 2000.

<sup>3</sup> U.S. Department of Justice. *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*. <https://www.govinfo.gov/content/pkg/FR-2002-06-18/pdf/02-15207.pdf>. 2002.

<sup>4</sup> U.S. Department of Justice, Civil Rights Division. *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs*. [https://www.lep.gov/sites/lep/files/resources/2011\\_Language\\_Access\\_Assessment\\_and\\_Planning\\_Tool.pdf](https://www.lep.gov/sites/lep/files/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf). 2011.

substantial number of non-English speaking individuals to provide translated materials or bilingual employees in order to facilitate meaningful access to written materials, services, and benefits.<sup>5</sup> The Dymally-Alatorre Act defines the threshold at which State agencies are required to provide these services as any language group whose non-English speakers “comprise 5 percent or more of the people served by the statewide or any local office or facility of a state agency.”<sup>6</sup>

In addition, the Dymally-Alatorre Act<sup>7</sup> defines the broad types of written material that should be distributed when a State agency serves a substantial number of non-English-speaking persons. These include:

- Written materials that require the individual to provide information (forms, applications, questionnaires, or notices); and
- Materials that affect or may affect an individual’s rights, duties, or privileges with regard to that agency’s services or benefits.

## Local Agency Standards

The Dymally-Alatorre Act states that local agencies are required to provide a sufficient number of qualified bilingual persons in public contact positions to ensure provision of information and services in the language of the non-English-speaking person. The determination of what constitutes a substantial number of non-English-speaking people and a sufficient number of qualified bilingual persons shall be made by the local agency.<sup>8</sup> In addition, the determination of when translated materials are necessary is left to the discretion of local agencies as well.<sup>9</sup> The provisions of the act shall be implemented to the extent that local, state, or federal funds are available.<sup>10</sup>

## Study of Language Access Policies in Other California Cities

Nimdzi Insights, LLC notes that although guidance from federal and state agencies establishes important standards for serving LEP individuals seeking services from federal and state agencies, language access represents a wider set of practical issues for local governments, especially those which have significant LEP communities. In addition to enabling meaningful access in contexts related to public health, public safety, and promoting the availability of services, local governments should develop oversight and accountability mechanisms that help to support language access services for the community they serve.

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<sup>5</sup> California Government Code Chapter 17.5 *Use of A foreign Language in Public Services* [7295.4] [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1](https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1).

<sup>6</sup> California Government Code Chapter 17.5 *Use of A foreign Language in Public Services* [7296.2] [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1](https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1).

<sup>7</sup> California Government Code Chapter 17.5 *Use of A foreign Language in Public Services* [7295.4] [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1](https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1).

<sup>8</sup> California Government Code Chapter 17.5 *Use of A foreign Language in Public Services* [7292] [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1](https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1).

<sup>9</sup> California Government Code Chapter 17.5 *Use of A foreign Language in Public Services* [7295] [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1](https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1).

<sup>10</sup> California Government Code Chapter 17.5 *Use of A foreign Language in Public Services* [7299] [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1](https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1).



Local language access policies can take many forms to govern language access services in their respective jurisdictions. Nimdzi Insights, LLC found the following agencies in California have adopted language access policies.

- City of Long Beach
- City of Oakland
- City/County of San Francisco
- City of San Jose
- City of Buena Park
- City of Santa Maria
- City of Arcadia
- City of Alameda
- City of Monterey Park
- Monterey County
- San Diego County
- Orange County

These policies apply across all agencies providing services within the jurisdiction of their local government, however there are other municipalities that have policies that apply to individual agencies or departments. For example, the cities of Roseville and Bakersfield have adopted policies that apply to their respective police departments. Many other cities that are similar demographically to Sacramento have yet to adopt either municipality-wide or department-specific policies, including the cities of Fresno and Stockton.

Though policies differ in how they determine which LEP language groups to prioritize, their procedures for tracking usage of language services, protocols for training staff, and other factors, they tend to include a core group of agency responsibilities and policy administration guidelines. This includes processes for translating documents, providing interpreters, ensuring accuracy in interpretation and translation, assigning bilingual staff, providing public notice of language access rights, and updating language access usage reports. Policies also included oversight and accountability mechanisms used to maintain and update the policy, including population tracking, requirements for community input, annual compliance plans, and complaint procedures.

The next few figures are comparison charts developed by Nimdzi Insights, LLC of the language access policies of six cities that the City of Sacramento regularly uses for benchmarking purposes. Four of the policies apply across all agencies (the cities of Long Beach, Oakland, San Francisco, and San Jose), the remaining two apply to the police department only (the cities of Roseville and Bakersfield).

**Figure 2: Specified Languages and Threshold Determination**

City	Languages Specified in Policy	Threshold Determination
<b>Long Beach</b>	Khmer (Cambodian), Spanish, Tagalog	3% of language speakers in the total population
<b>Oakland</b>	Chinese, Spanish	10,000 limited English proficiency (LEP) individuals
<b>San Francisco</b>	Chinese, Spanish	10,000 limited English proficiency (LEP) individuals OR 5% of individuals who use the service
<b>San Jose</b>	Not Stated	Not Stated
<b>Bakersfield (PD*)</b>	Not Stated	Not Stated
<b>Roseville (PD*)</b>	Not Stated	Not Stated

**Figure 3: Use of Bilingual Staff, Interpreters, and Third-Party Providers**

City	Policy for Using Bilingual Staff	Policy for Interpreter Skill	External Service Providers
<b>Long Beach</b>	Must maintain a directory of qualified bilingual staff	Internal bilingual certification process	Partnerships with local community groups
<b>Oakland</b>	Must maintain sufficient bilingual staff for threshold groups	Internal bilingual certification process	Professional service providers
<b>San Francisco</b>	Must maintain sufficient bilingual staff for threshold groups	Internal or accredited bilingual certification process	Professional service providers
<b>San Jose</b>	Must maintain a directory of qualified bilingual staff	Internal bilingual certification process	Professional service providers
<b>Bakersfield (PD)</b>	Designated by PD as fluent in interpretation or translation	Demonstrate basic knowledge of interpreter functions and competence	Partnerships with local community groups and Professional service providers
<b>Roseville (PD)</b>	Designated by PD as fluent in interpretation or translation	Internal bilingual certification process	Partnerships with local community groups and Professional service providers

**Figure 4: Types of Materials Translated, Procedures for Notifying Public, and Data Tracking**

City	Types of Materials Translated	Procedures for Notifying Public of Language Services	Procedures for Tracking Data on LEP Interactions
<b>Long Beach</b>	Materials specified in Dymally-Alatorre Act	Posted notices in public areas and on websites that translations are available. Recorded phone messages in threshold languages.	None specified
<b>Oakland</b>	Materials specified in Dymally-Alatorre Act	Posted notices in public areas and on websites that translations are available. Recorded phone messages in threshold languages and “I speak” language identification cards.	Feedback is solicited from bilingual staff and local community groups. Departments must collect, review and share data with the Equity Access Office annually.
<b>San Francisco</b>	Materials specified in Dymally-Alatorre Act and written tests	Posted notices in public areas and on websites that translations are available. Recorded phone messages in threshold languages.	Annual surveys of all contacts with the public OR analyze information during the intake process OR calculate total number of requests.

<b>San Jose</b>	Materials specified in Dymally-Alatorre Act and Automated website translation	Posted notices in public areas and on website that translations are available. Recorded phone messages in threshold languages and “I speak” language identification cards.	Track usage using vendor invoices
<b>Bakersfield (PD)</b>	Vital Documents	Language identification cards and signage that interpreters are available	Annual assessment of usage data and feedback from community-based organizations
<b>Roseville (PD)</b>	Vital Documents	Language identification cards and signage that interpreters are available	Use of services noted on police report

**Figure 5: Procedures for Training Staff, Requesting Interpreters, and Complaints**

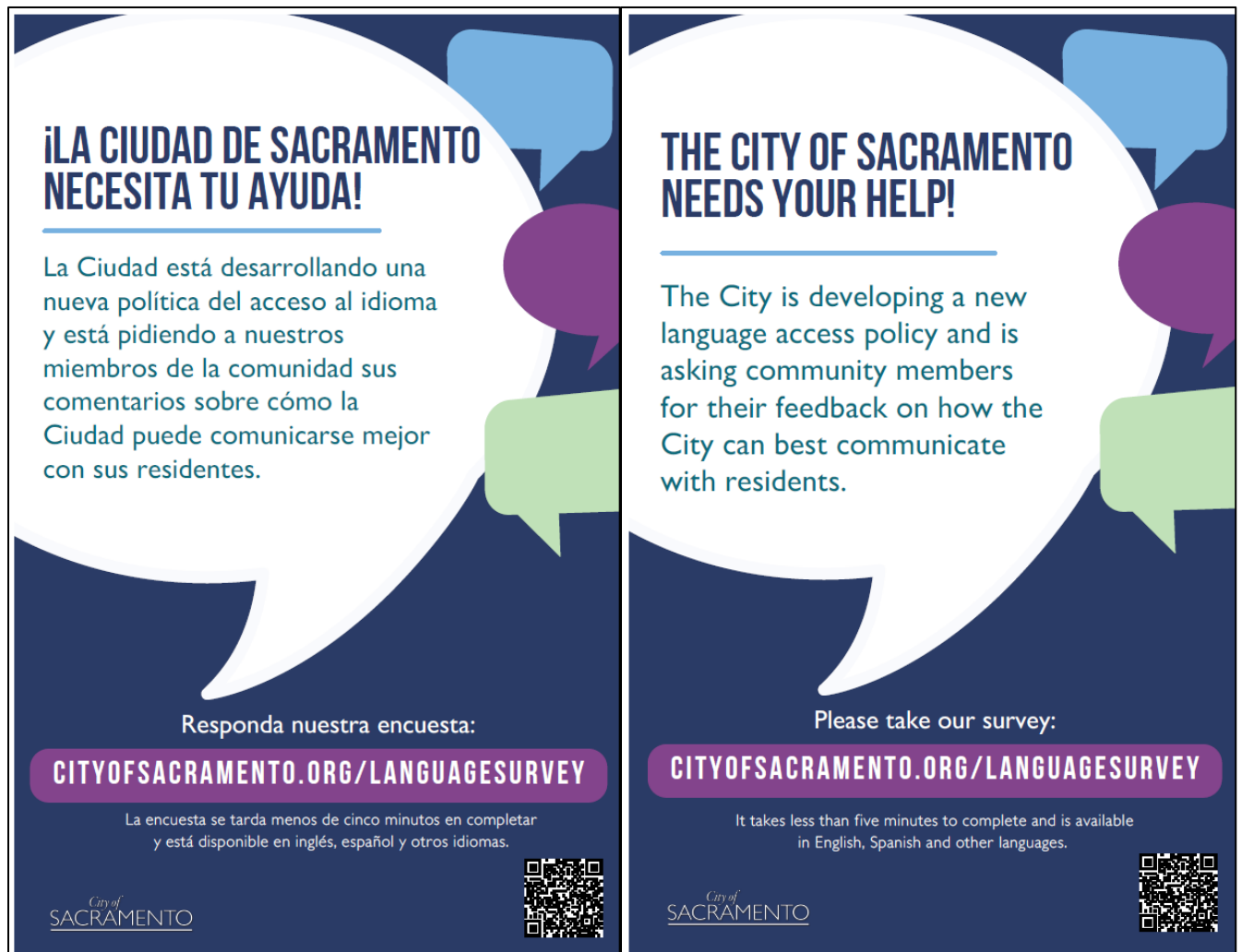
City	Procedure for Training Staff	Procedure for Requesting Interpreters for Public Events	Complaint Procedure
<b>Long Beach</b>	None specified	24-hour notice required	None specified
<b>Oakland</b>	Departments must periodically train staff on their responsibilities for identifying and implementing language services	Threshold languages provided, with 48-hour notice	Referred to City’s discrimination complaint and compliance review/grievance procedure
<b>San Francisco</b>	Ongoing training required as part of an annual compliance plan	48-hour notice required	Office of Civic Engagement and Immigrant Affairs (OCEIA) is responsible for investigating complaints
<b>San Jose</b>	Training in how to identify LEP individuals and requesting translations	Departments must include interpreters if they know ahead of time that participants will need them	None specified.
<b>Bakersfield (PD)</b>	Training for new members, refresher training every two years	Not specified	LEP Coordinator receives and responds to complaints
<b>Roseville (PD)</b>	Training for new members, refresher training every two years	Not specified	Complaints referred to professional standards unit, with assistance from LEP Coordinator

## Community Member Language Access Survey

Nimdzi Insights, LLC conducted a community member language access survey that was open from April 8, 2022, to May 20, 2022. The survey asked community members to provide feedback on the City's language access services to assist the City in identifying any gaps in service. In an effort to make the survey accessible to the largest language groups, the survey was translated into Spanish, Chinese (Traditional and Simplified), Vietnamese, and Hmong. The survey invitation was sent to over 70 community stakeholder groups, marketed through Councilmember offices, and invitations to take the survey were highlighted at more than 10 events, workshops, and festivals. The City's Community Engagement Team also marketed the survey to Community Ambassador Groups, which include speakers of Spanish, Hmong, Vietnamese, Mandarin, and Cantonese.

This figure includes examples of some of the marketing efforts Nimdzi Insights, LLC and the City of Sacramento engaged in to get community feedback on the City's language access services.

Figure 6: Language Access Survey Flyers



Source: City of Sacramento.

The survey received 141 responses.<sup>11</sup> Of those responses, 118 completed the survey in English. 23 respondents completed the survey in a non-English language. Even though most completed the survey in English, a total of 44 respondents self-identified as “somewhat comfortable” or “not very comfortable” communicating in English. For this reason, it is important to note that responses per language is not an accurate reflection of total responses from individuals who have limited English proficiency. Some individuals who have limited English proficiency, may still be proficient enough to take the English version, and some individuals who chose to take the survey in a non-English language may also be proficient in English. Survey respondents took the survey in the following languages:

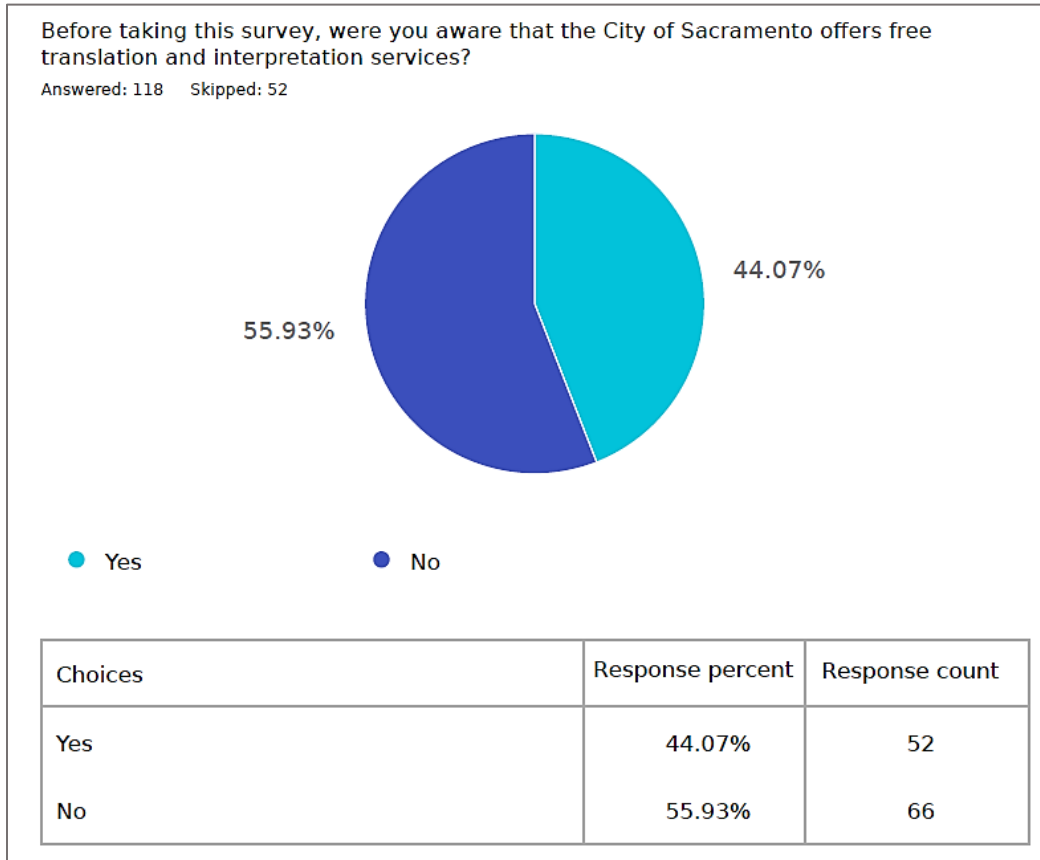
- English - 118
- Spanish - 21
- Vietnamese - 1
- Chinese simplified - 1
- Chinese traditional - 0
- Hmong – 0

The next two figures show survey responses in English and Spanish, respectively. The survey revealed that over 55% of the respondents to the English version said they were not aware the City offered free translation and interpretation services. Results from the Spanish version of the survey indicated that 33% of respondents were not aware that the City offered these free services.

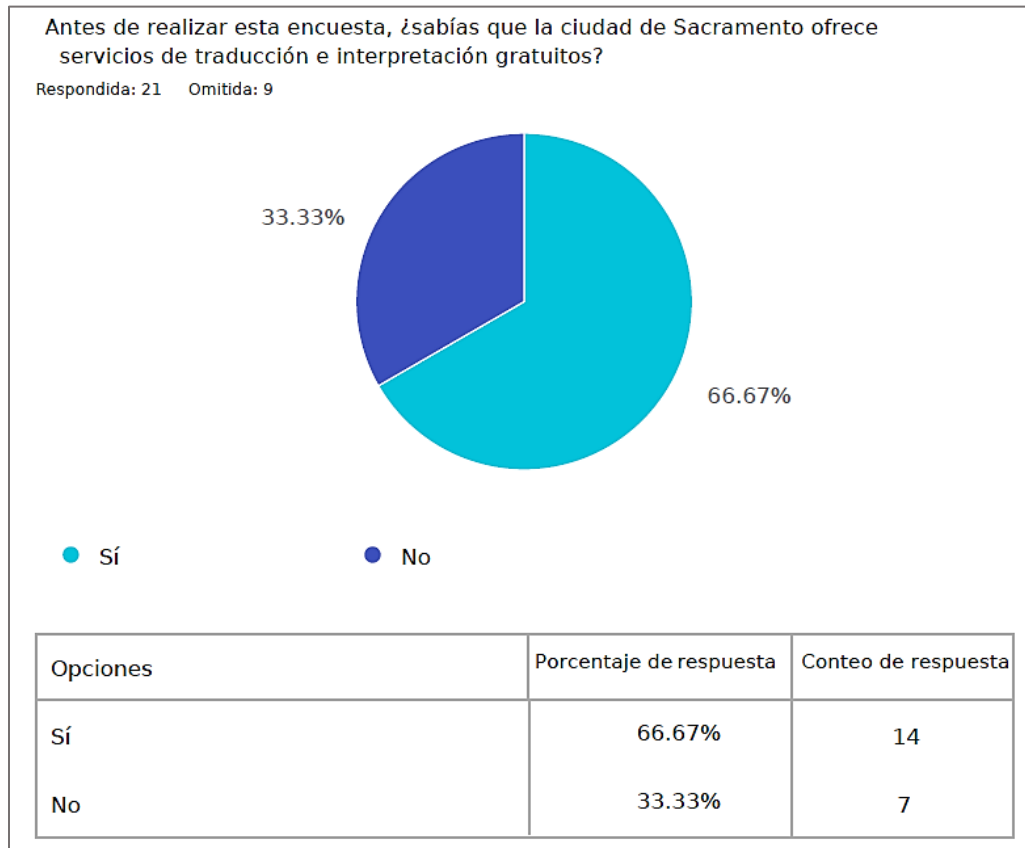
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<sup>11</sup> A number of individuals only responded to the first question asking whether they resided in the City of Sacramento and then closed out the survey. These responses are not included in the total.

**Figure 7: LEP Community Survey Responses to the Question on Whether They Were Aware of the Free Translation and Interpretation Services Offered by the City (English Version)**



**Figure 8: LEP Community Survey Responses to the Question on Whether They Were Aware of the Free Translation and Interpretation Services Offered by the City (Spanish Version)**



Overall, the community survey helped to provide insight into the community’s awareness of the City’s language services and to help identify areas where the City may fall short. Additional survey results are discussed later in the report.

## Language Access Services Offered by the City of Sacramento

As part of the gap analysis, Nimdzi Insights, LLC identified and categorized the language services already being offered and funded by the City of Sacramento.

### Telephone Interpretation Services

Language Link is a third-party telephone interpretation service, paid for by the City, which allows City employees to effectively communicate with LEP community members during a phone interaction.

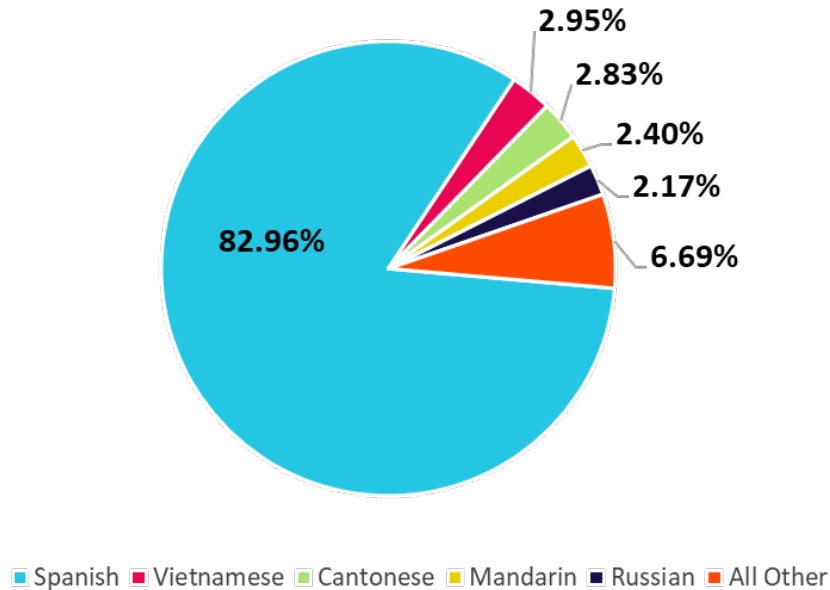
When a call is received from a caller requesting an interpreter or the caller is not able to communicate effectively in English, City employees can contact Language Link to provide interpretation services through a conference call. These calls are most



frequently made by the City’s 311 agents and 911 dispatchers.

This figure shows the total number of Language Link interpreter calls (5,143) made by the Police Department from January through August 2021, by language. Representing nearly 83% of Language Link calls, Spanish is the most frequently requested language, by a wide margin. Vietnamese and Cantonese speakers accounted for just under 3%, each.

**Figure 9: Police Department Language Link Use by Language (5,143 Calls)**



To provide some context on the cost associated with offering this service, the not-to-exceed amount for the Citywide Language Link contract is \$99,000.

### On-Site Interpreter/ Translation Services

Interlingva Inc. is an interpreting and translating agency located in Sacramento, CA. The City of Sacramento contracts with Interlingva to provide on-demand and on-site interpretation services and translation of written documents. Interlingva provides experienced and licensed interpreters/translators during routine situations, public communication, or scheduled events. Examples of interpretation and translation services offered by Interlingva include:



- Meetings, live public events, broadcasts, TV, social media, radio and print.
- Works directly with the public, on-site, by phone, or via telecommunications device.
- Works as part of the City’s Joint Information Center during a crisis activation.

The City’s contract with Interlingva has a \$99,000 not-to-exceed amount and stipulates that routine requests for on-site services should be made at least 48-hours prior to an event.



## American Sign Language (ASL) Interpretation Services

NorCal Services for the Deaf and Hard of Hearing is a community-based organization, headquartered in Sacramento, that serves Deaf and hard of hearing individuals. The City of Sacramento contracts with NorCal Services to provide on-demand and on-site translation services for the Deaf and hard of hearing.



The services are provided with certified ASL interpreters. Examples of services provided include:

- Meetings, live public events, and TV broadcasts.
- Works directly with the public, on-site.
- Works as part of the City’s Joint Information Center during a crisis activation.

The City’s contract with NorCal Services includes a not-to-exceed amount of \$99,000.

## Bilingual City Employees

The City of Sacramento offers bilingual incentive pay to City employees who desire to provide interpretation/translation services and can demonstrate proficiency in a specified language. If available, bilingual employees can be contacted by other City employees to provide language services, however they must receive supervisor permission prior to engaging in a transaction and the call must take place during the employee’s regular business hours. The next figure shows the number of employees receiving bilingual pay and the languages they speak. Three employees are counted twice because they speak multiple languages.

**Figure 10: Bilingual Pay Incentive by Employee**

Language	Count
Spanish	90
Russian	11
Punjabi	3
Ukrainian	3
Hmong	3
Chinese (Mandarin)	2
Vietnamese	2
Chinese (Cantonese)	2
Mien	2
Hindi	2
Bosnian	1
Korean	1
Croatian	1
Farsi (Persian)	1
Dari	1
German	1
<b>Grand Total</b>	<b>126</b>

The cost of the bilingual pay incentive is funded by the department in which the employee works. This figure shows the number of employees who are listed as part of the bilingual pay program, by City Department. Three employees speak multiple languages and are counted more than once.

**Figure 11: Bilingual Pay Incentive by City Department**

<b>Department</b>	<b>Count</b>
Police	60
Fire	24
YPCE	11
Utilities	8
Information Technology	8
Community Development	6
Finance	4
City Manager	2
Public Works	2
Mayor/Council	1
<b>Grand Total</b>	<b>126</b>

Some employees are paid a flat rate for their bilingual services and others receive a 2% increase to their base pay. The amount of bilingual pay is determined by the labor union the employee belongs to and the terms that were negotiated with the City in their respective labor agreements. We estimate the cost of providing this service at over \$200,000 per year.

### Written Material

Nimdzi Insights, LLC noted that the City website is equipped with a plugin for automated translation via Google Translate, which can help convey general or informal information to those that struggle to read English. While this may be sufficient for some non-vital content, it is important to note this option may not be appropriate for translations of vital content as it is not always accurate or complete.

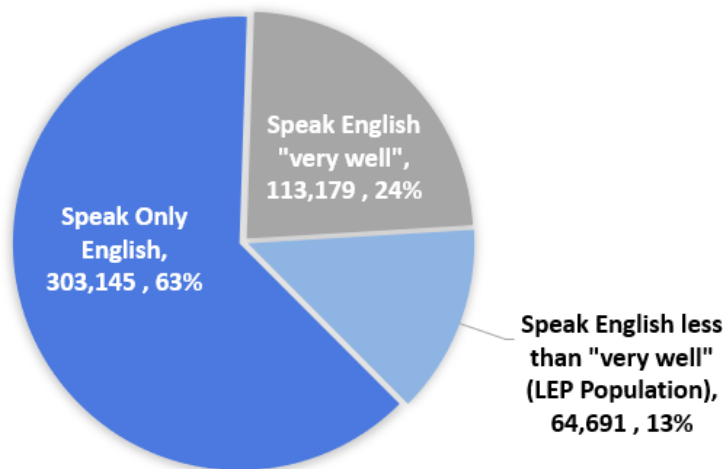
Nimdzi Insights, LLC also found that there is not currently a citywide policy regarding what materials to translate, the resources required to translate them, or what languages to translate into. These decisions are currently being made at the department level. While the City has provided translations of certain content that relates to one’s rights or benefits (for example, COVID-related information, grant applications), as well as certain proactive social outreach content (for example, flyers for community events), there is no standard to guide staff in their decision-making process.

## Factor 1: Number and Proportion of LEP Individuals in the City of Sacramento

Language access guidance for federal and state agencies suggests that the first step in drafting a language policy is to identify the total population and languages spoken by individuals that have limited English proficiency.

According to the U.S. Census data<sup>12</sup>, individuals who speak English less than “very well” comprise 13% of the total population in the City of Sacramento. The figure below shows the composition of those that speak only English, in comparison to the number of people that speak another language at home, but also speak English either “very well” or “less than very well.” The nearly 65,000 individuals estimated to speak English “less than very well” could be considered the City of Sacramento’s LEP population.

Figure 12: City of Sacramento U.S. Census Data on English Proficiency



Source: U.S. Census Bureau. American Community Survey 2019.

### Spanish is the Most Prevalent Non-English Language Spoken at Home

The U.S. Census data also provides a breakdown of the languages spoken at home by the City’s LEP population. This figure shows the languages spoken, the percentage of the City’s total population, and the number of individuals this represents.

<sup>12</sup> U.S. Census Bureau. American Community Survey. 2019  
<https://data.census.gov/cedsci/table?t=Language%20Spoken%20at%20Home&g=1600000US0664000&tid=ACSDT1Y2019.B1600>

**Figure 13: City of Sacramento Estimated LEP Population**

Language Spoken at Home	Estimated LEP Population	Percent of Total City Population Over 5 (481,015)
Spanish	26,134	5.4%
Chinese (all dialects)	11,366	2.4%
Hmong	5,051	1.1%
Vietnamese	4,659	1.0%
Tagalog	2,344	0.5%
Punjabi	1,870	0.4%
Russian	1,799	0.4%
Hindi	1,556	0.3%
Arabic	1,273	0.3%
All other languages	8,639	1.8%
<b>Total</b>	<b>64,691</b>	<b>13.4%</b>

Source: U.S. Census Bureau. American Community Survey 2019. 5 Years of Age and Over.

The Dymally-Alatorre Bilingual Services Act requires State agencies who are directly involved in the furnishing of information or providing of services to the public, when contact is made with a substantial number of non-English speaking people, to provide language services (bilingual staff, translated written materials, etc.). The Dymally-Alatorre Bilingual Services Act defines a “substantial number” of non-English-speaking people as members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language, and who comprise 5% or more of the people served by the state agency.

If the City of Sacramento were to apply the 5% threshold applicable to State agencies, then Spanish would be the only language to meet this threshold. This is based on the following Census data and Language Link user data.

- Number and proportion of LEP individuals by population: Spanish-speakers are the only group whose LEP population comprises more than 5% of the total population of the City of Sacramento.
- Extrapolating out from Language Link user data, we can estimate that Spanish is the language spoken in 80-90% of LEP encounters.

To reach the largest percentage of LEP speakers by language, the City may establish and/or maintain more robust means of language assistance in Spanish than are afforded to other languages in order to support this larger population of LEP individuals. However, Nimdzi Insights, LLC notes that this guidance should not be interpreted to mean that the City should not make efforts to procure language services in LEP languages other than Spanish. Rather, this analysis means that policies and procedures that apply to the provision of Spanish-language services may differ in some cases to the procedures used to provision language services for other LEP language groups.

For example, if a City department (or even an individual unit of a department, such as a police precinct, a park facility, etc.) serves a large population of LEP individuals that speak a language other than Spanish, that program may want to proactively provide language access services in that language. For example, if a given City department or program serves a population that consists of 5%+ Chinese speakers who are

also LEP, then that program could proactively translate vital documents into Chinese and be able to provide Chinese interpreters during their live meetings. If an individual unit of a department suspects that such an exception exists, they may proactively follow the same procedure as they do for Spanish, even absent any formal tracking that demonstrates that the other LEP language passes the 5% threshold.

**We Recommend the City Manager:**

**Recommendation 1:** Establish and maintain robust language access capabilities for Spanish speaking LEP residents.

**Recommendation 2:** Evaluate whether any department programs serve a significantly higher LEP population than that of the overall Citywide population and apply more robust language services towards those programs.

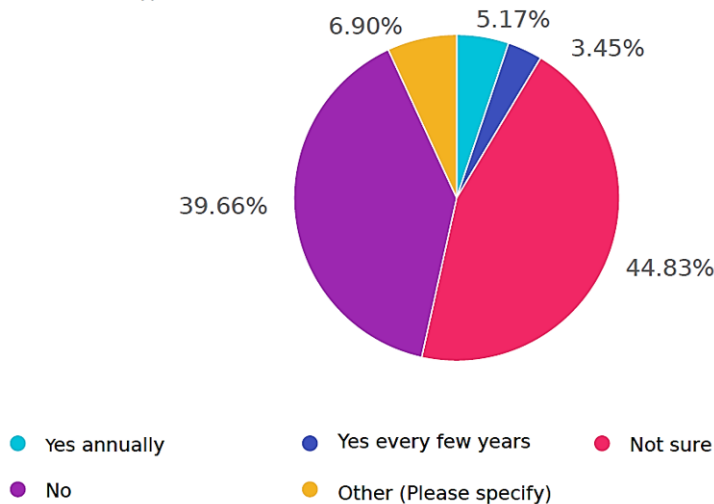
**More than 40% of Respondents Did Not Know How Often LEP Data Was Being Updated**

It is important to regularly update the statistics related to the number and proportion of LEP individuals to ensure the City is providing language access services in the languages that are the most relevant to those being served by the program. The survey of City employees found that nearly 45% of employees did not know how often their department’s LEP data was being updated. Another 40% of employees said that it was not being updated. The next figure shows the responses from a recent City employee language access survey.

**Figure 14: Employee Survey Responses on Frequency of Updating LEP Data**

Does your department regularly update its data on the LEP communities in your service area (for example, by checking Census data, usage data on interpretation and translation requests by language, etc.)?

Answered: 58 Skipped: 288



Failure to regularly update LEP data could result in the City not providing services in the most frequent and most used languages. This could result in a reduction in the effectiveness of the City’s outreach and language access services.

**We Recommend the City Manager:**

**Recommendation 3:** The City should refer to the U.S. Census and Language Link usage data from the City's 311 and 911 departments to regularly evaluate the number and proportion of LEP individuals and use this information in assessing the sufficiency of the City's language access services. The City may also wish to review demographic data from other local organizations (school systems, community organizations, legal aid entities, etc.)

## Factor 2: Frequency and Type of LEP Encounters

Federal guidance recommends that agencies should also assess the frequency with which they have or should have contact with LEP individuals from different language groups seeking assistance. The more frequent the contact with a particular language group, the more likely that enhanced language services in that language are needed. For example, the steps that are reasonable for a program that serves a LEP person on a one-time basis will be very different from those expected from a program that serves LEP persons daily.

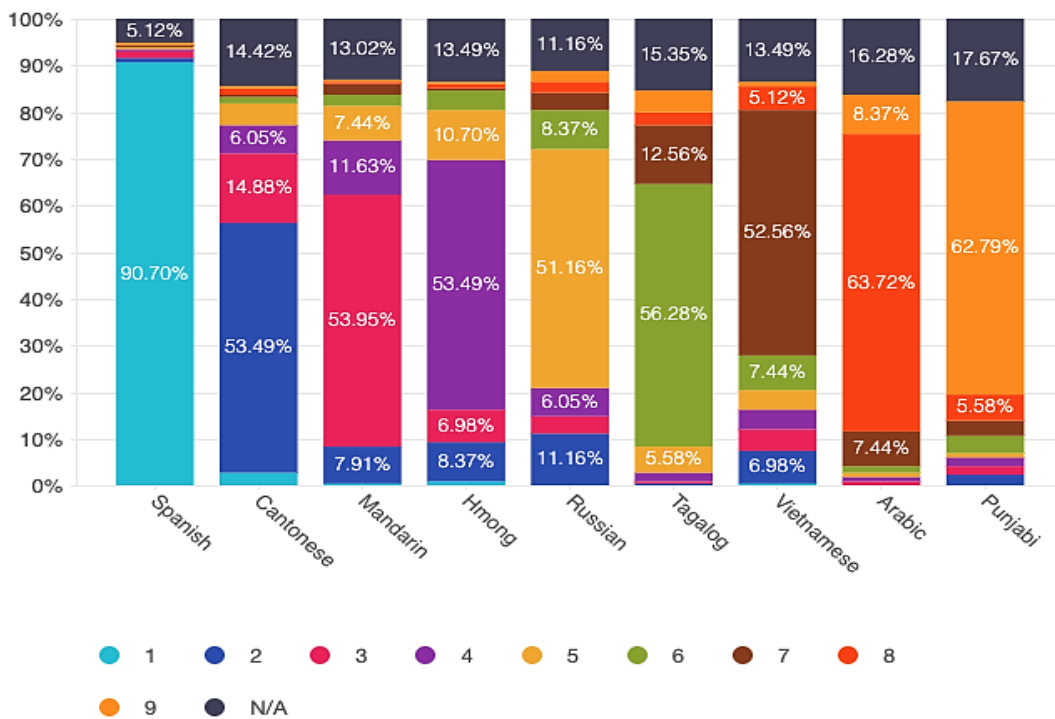
In applying this standard, the guidance recommends considering whether appropriate outreach to LEP persons could increase the frequency of contact with LEP language groups.

Nimdzi Insights, LLC surveyed City employees to gauge the frequency of interactions with LEP individuals. The figure below shows the results of a survey question asking City employees to rank from 1-9 how frequently they provide services in non-English languages. 90.70% of respondents ranked Spanish as the most frequently encountered language. 53.49% of respondents listed Cantonese as the second-most encountered language. 53.95% of respondents identified Mandarin as the third-most encountered language.

**Figure 15: Employee Survey Data on Frequency of Providing Language Services**

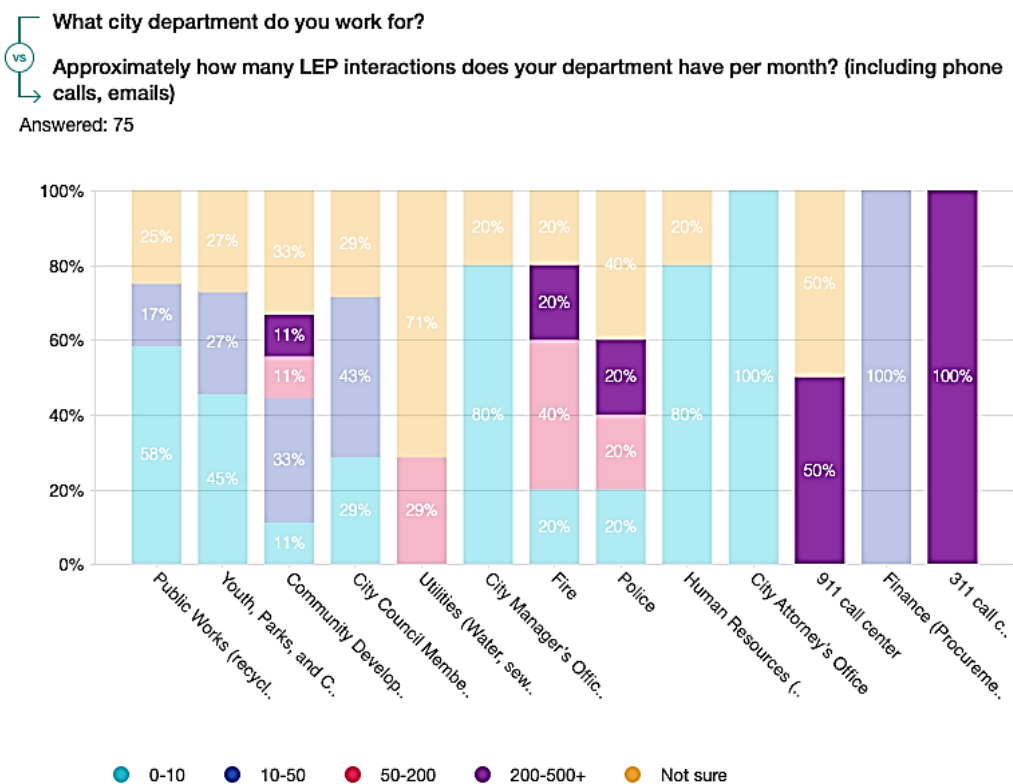
**What non-English languages (in order of frequency) does your department provide services in?**

Answered: 215 Skipped: 131



The employee survey also asked employees to estimate how often they interacted with LEP individuals on a monthly basis. Survey results indicate that City departments vary considerably in the volume of LEP interactions they handle per month, ranging from less than 10 to over 200. For example, 100% of the 311 Call Center employees who responded to the survey stated they encounter more than 200 LEP individuals per month. In comparison, only 20% of Police Department and 20% of Fire Department employees that responded to the survey stated that they come in contact with LEP individuals more than 200 times per month.

**Figure 16: Survey Data on the Number of Interactions Per Month**



Nimdzi Insights, LLC noted that departments that interact with LEP individuals most frequently tended to be those that also handle exigent needs and/or individual rights and benefits, such as the 311 Call Center, the 911 Call Center, the Police Department and the Fire Department.

In developing a Citywide language access policy, the City should consider providing guidance on whether some programs require additional outreach to LEP persons to increase the frequency of LEP participation. The policy should also consider how the City will provide meaningful access at a broader scale for programs that have more frequent LEP encounters.

**We Recommend the City Manager:**

**Recommendation 4:** Provide guidance on whether programs should perform additional outreach to LEP persons to increase the frequency of contact with LEP language groups.



**Recommendation 5:** Provide guidance on whether programs that interact frequently with LEP individuals should provide meaningful language access services at a broader scale than departments who have infrequent encounters.

**Recommendation 6:** Evaluate whether funding for language services is sufficient based on the volume of LEP individuals that interact with City departments or programs and the relative importance of the services they provide.

### Some City Employees Who Engage with LEP Individuals Do Not Know How to Use the City's Language Access Services

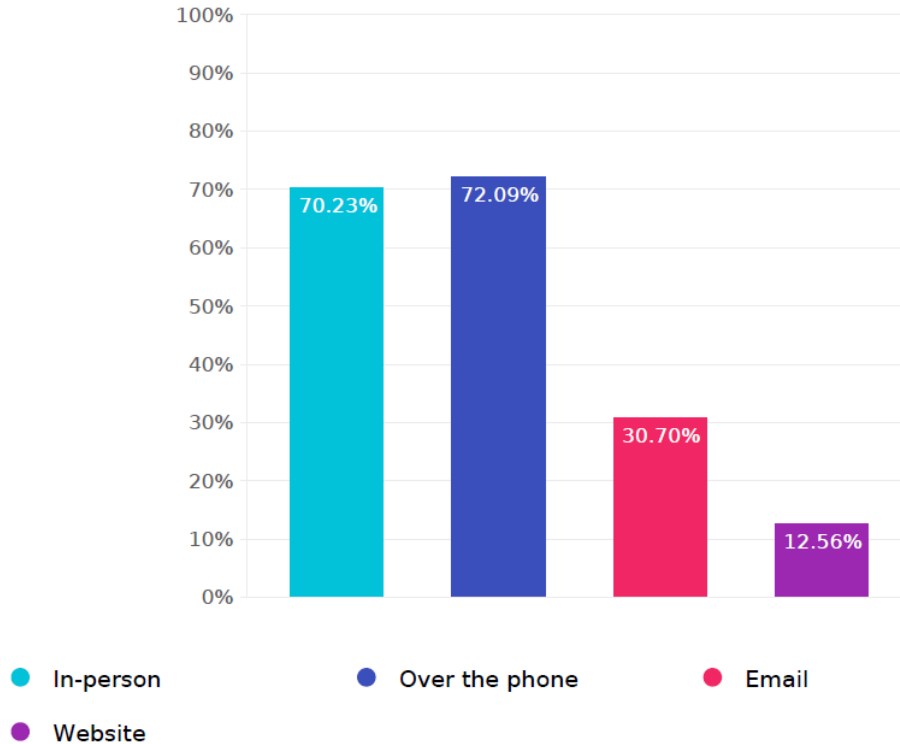
The U.S. Department of Justice Civil Rights Division's *Language Access Assessment and Planning Tool* designed for Federal and State agencies states that "Staff will not be able to provide meaningful access to LEP individuals if they do not receive training on language access policies and procedures, including how to access language assistance services. This training should be mandatory for staff who have the potential to interact or communicate with LEP individuals, staff whose job it is to arrange for language assistance services, and managers. Training should explain how staff can identify the language needs of an LEP individual, access and provide the necessary language assistance services, work with interpreters, request document translations, and track the use of language assistance services. Bilingual staff members who communicate "in-language" to LEP individuals, or who serve as interpreters or translators, should be assessed and receive regular training on proper interpreting and translation techniques, ethics, specialized terminology, and other topics as needed."

Nimdzi Insights, LLC surveyed City employees to determine how their departments typically interact with LEP individuals. Approximately 70% of respondents stated that they interact in-person and 72% of respondents stated that they also interact with LEP individuals over the phone.

**Figure 17: Employee Survey Data on Types of Interactions with LEP Individuals**

How does your agency typically interact with individuals who are limited in English proficiency? (Please select all that apply.)

Answered: 215 Skipped: 131

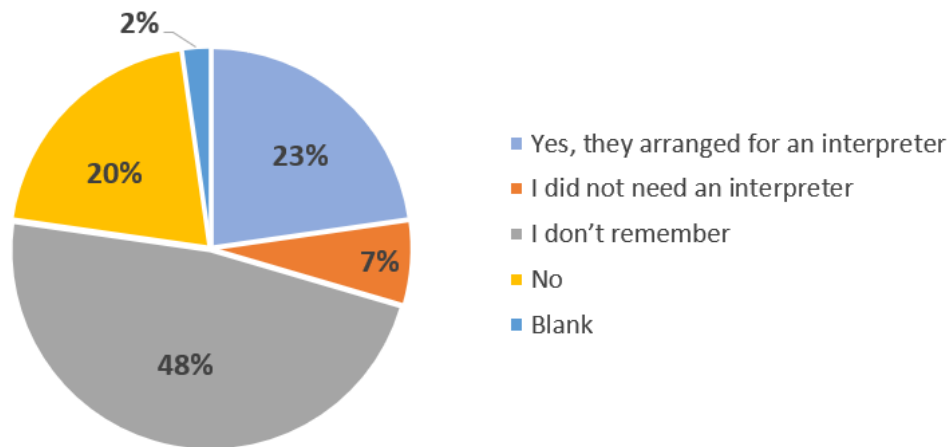


Roughly as many City employees indicated that they interact with LEP individuals in-person as over the phone, yet there appeared to be much more confusion about how to arrange interpreters for in-person encounters. Two areas of confusion came to light:

- City employees are not aware of which professional language service companies the City currently has contracts with, apart from Language Link (write-in answers include contractors who do not have city contracts (One Call, Eaton Interpreting Services) and there are no mentions of current contractors including Interlingva, International Effectiveness Centers, or NorCal Services for the Deaf and Hard of Hearing.
- Employees do not consistently distinguish between translation and interpretation or know who to contact for which service.

Nimdzi Insights, LLC conducted a survey of LEP community members and the survey results indicate that the City may not be providing interpreters when one would have been preferred. Of the 44 respondents that self-identified as LEP, 20% indicated they had not been offered an interpreter. The survey results are shown in the next figure.

**Figure 18: Survey of LEP Community Members on Whether They Had Been Offered an Interpreter**



While not every situation requires an interpreter, several individual responses raised concerns that interpreters are not being provided in cases where rights, benefits, health, and/or safety are involved. We recommend the City provide training to employees on offering interpreter services.

Without periodic assessment and training, staff may not be able to provide the language assistance services necessary to ensure LEP individuals have meaningful access to the City's programs. We recommend the language access policy consider that City staff be regularly trained on the City's language access procedures.

**We Recommend the City Manager:**

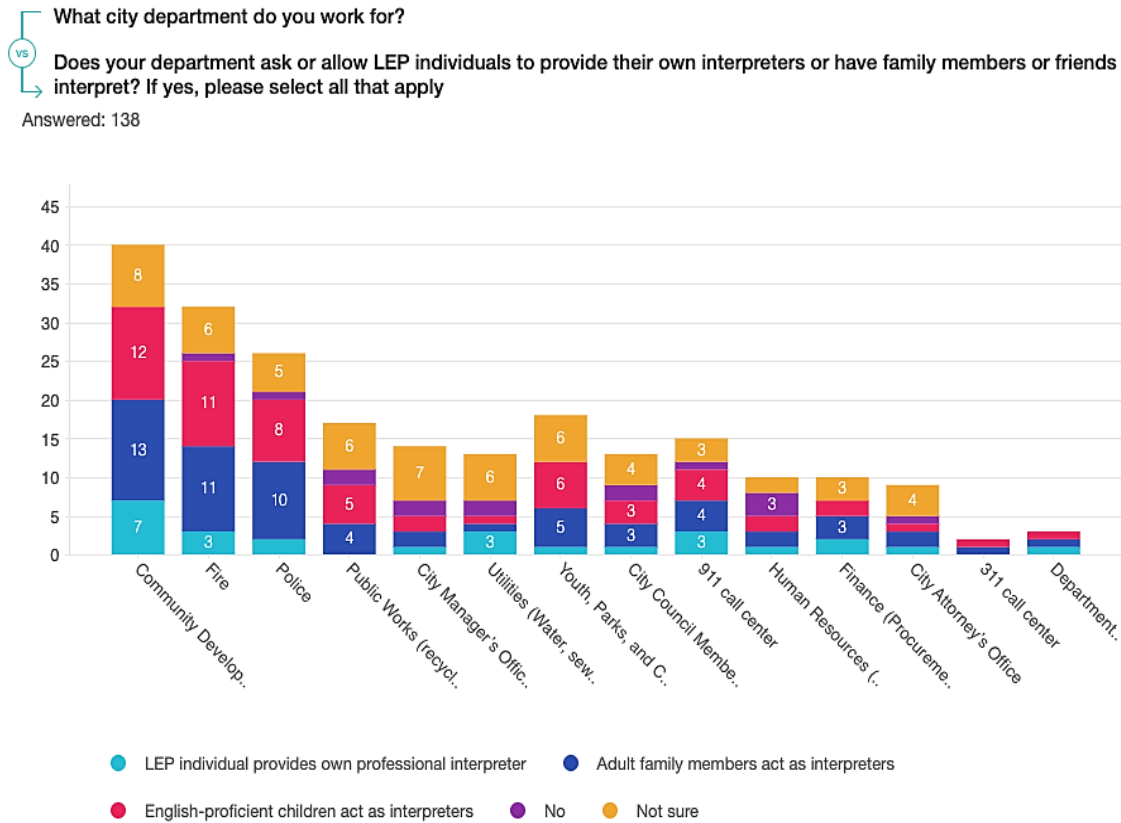
**Recommendation 7:** Train City staff on language access procedures. This training may include the process for arranging interpreters where appropriate, the list of providers the City currently contracts with and what services they provide, and the differences between translation and interpretation services.

**The City Should Train Staff on How to Respond in Situations Where a Minor or Family Member is Asked to Serve as an Interpreter**

According to Federal guidance, agencies should avoid using family members, children, friends, and untrained volunteers as interpreters because it is difficult to ensure that they interpret accurately. The overarching concern on the use of un-vetted, informal interpreters is the quality of language access provided. Absent rigorous establishment of the qualification of the informal interpreter, the City will have no way to assure that "meaningful language access" is in fact being provided. In addition, the use of a minor child or family member could present ethical conflicts.

Nimdzi Insights, LLC surveyed City employees and found that roughly 40% of respondents across departments indicated that English-proficient children act as interpreters, and 42% have adult family members act as interpreters.

**Figure 19: Employee Survey on Use of Family Members for Interpreters**



Federal guidance suggests that when language services are required by law and LEP individuals indicate that a minor child, family member, or community member will serve as an interpreter, the agency should inform the LEP individual, in their language, that they can provide an interpreter at no cost and in a reasonable amount of time. Under federal guidance, if the individual declines the service, then the agency should document the refusal.

Similarly, the Americans with Disabilities Act (ADA), which stipulates that covered agencies provide translation services for Deaf and hard-of-hearing individuals, places responsibility for providing sign language interpreters on the agency. They recommend not relying on children or other family members to provide sign language services and instead contacting a qualified interpreter.<sup>13</sup>

We recommend the City’s language access policy provide guidance to staff how to respond in situations where a minor or family member is asked to serve as an interpreter.

**We Recommend the City Manager:**

**Recommendation 8:** Provide guidance and train staff on how to respond in situations where a minor or family member is asked to serve as an interpreter.

<sup>13</sup> U.S. Department of Justice. Civil Rights Division. Disability Rights Section. ADA Requirements. *Effective Communication*. <https://www.ada.gov/effective-comm.htm>. 2014.

## City Employees Should Be Trained on the Use of Bilingual Staff

Federal guidance states that when particular languages are encountered often, hiring bilingual staff offers one of the best, and often most economical options. Bilingual staff can, for example, fill public contact positions, such as 911 operators, police officers, or program directors, with staff who are bilingual and competent to communicate directly with LEP persons in their language. If bilingual staff are also used to interpret between English speakers and LEP persons, or to orally interpret written documents from English into another language, they should be competent in the skill of interpreting. However, the guidance cautions that being bilingual does not necessarily mean that a person has the ability to interpret.

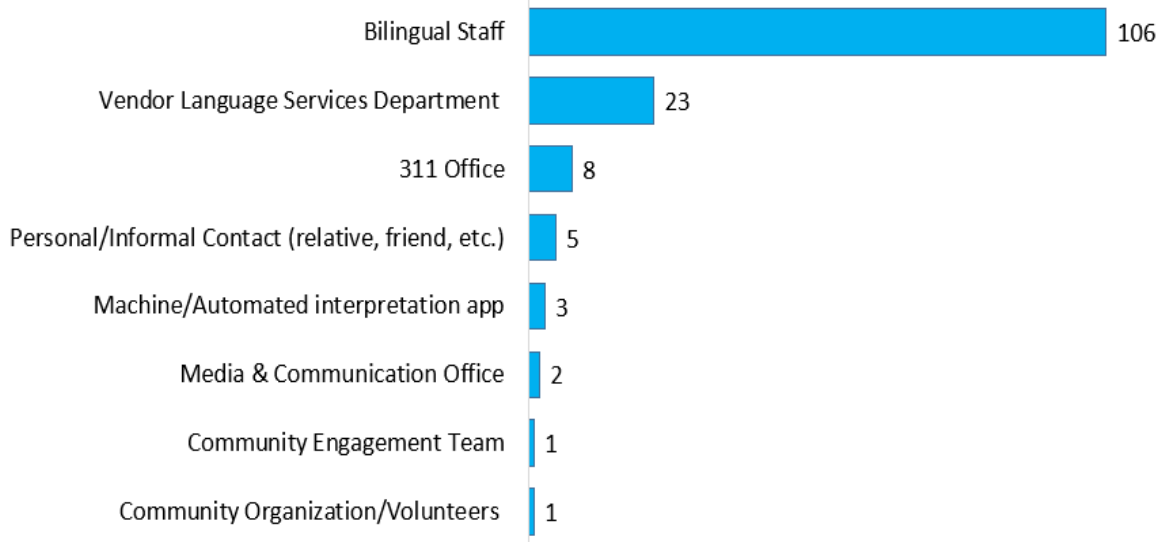
The U.S. Department of Justice Civil Rights Division's *Language Access Assessment and Planning Tool* states that "Bilingual staff members who communicate "in-language" to LEP individuals, or who serve as interpreters or translators, should be assessed and receive regular training on proper interpreting and translation techniques, ethics, specialized terminology, and other topics as needed. Without periodic assessment and training, bilingual staff may not be able to provide the language assistance services necessary to ensure LEP individuals have meaningful access to your agency's programs."

Qualified bilingual staff should be able to demonstrate skill in interpreting, as not every bilingual person is able to transfer meaning between languages with accuracy and verbal fluency. Additionally, staff should be versed in the terminology particular to the situation. For example, a bilingual staff member whose interpretation skills are verified may not be familiar with police department terminology, medical terminology, and so forth.

The guidance recommends that in cases where a LEP individual's legal rights, health, safety, or benefits are concerned, a professional interpreter should be utilized if there is any doubt that bilingual staff is sufficiently skilled in interpretation or possesses the necessary knowledge of terminology.

Nimdzi Insights, LLC surveyed City employees to find out who they turn to when they need an interpreter, either in-person or over the phone. As figure 20 shows, the majority of respondents indicated that bilingual staff are their first resource.

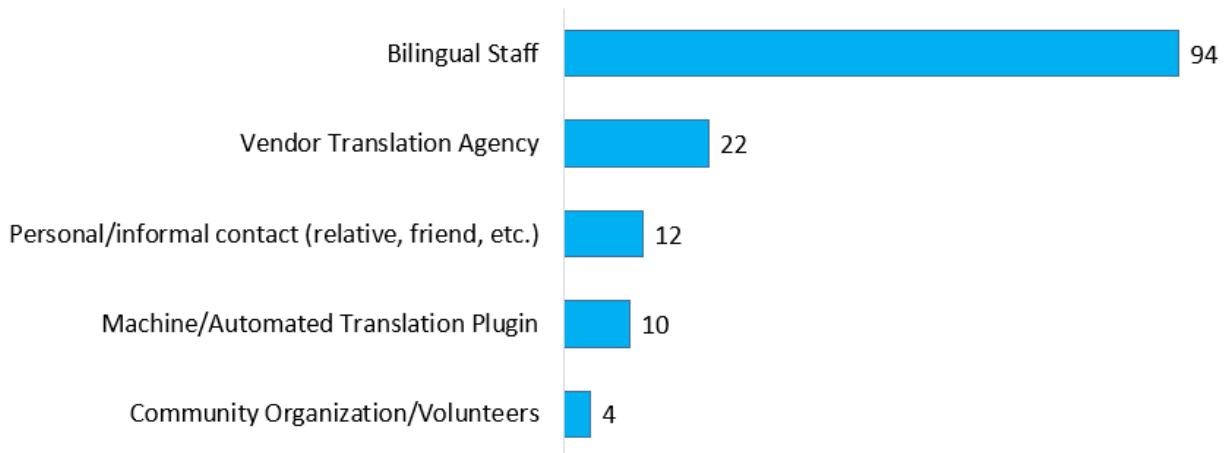
**Figure 20: Employee Survey Data on Preference for Use of Interpretation Services**



The guidance also cautions not to over-utilize bilingual staff for translation (written) assignments. Asking staff to translate content that is more than one-page in length may impact staff member’s ability to perform their core duties and/or extend the time it takes to complete translations.

As the next figure shows, the survey of City employees found that when they need written content translated, they turned to the City’s bilingual employees first.

**Figure 21: Employee Survey Data on Preference for Use of Translation Services**



For certain less-frequently encountered languages, it may be difficult to find a professional translator. Additionally, certain languages are largely spoken rather than written and LEP individuals may not be literate in their native language. Sight translation services with third-party language services providers typically have access to more than 200 languages. The federal LEP guidance recommends the following:

- Vital documents should be translated by qualified professionals or community members who have demonstrated competency via certifications, professional references, etc.
- Outreach content (social media posts, event fliers, etc.) should be translated using any qualified resources.

In addition, translations that are not provided in a timely manner do not meet the standard of “meaningful access”, so City employees should carefully consider whether bilingual staff can complete a translation with minimal turnaround time before assigning it to them. Even with outreach content, employees may wish to use professional translators if turnaround time is an issue, as delays between the English-language publication of information and its appearance in other languages can foster a negative impression among some LEP communities. Professional translators can generally complete translations in a fraction of the time as non-professionals, as they have access to professional translation workflow tools that bilingual staff may not have. In addition, some survey responses from the LEP community noted that the quality of the translations were not always very good.

We recommend the City Manager provide guidance on the use of bilingual employees, training of bilingual employees, and provide examples of when the use of bilingual staff is appropriate or inappropriate.

**We Recommend the City Manager:**

**Recommendation 9:** Provide direction on how and when bilingual staff are used for translation services and when professional translators should be used for vital documents, website content, and for lengthy documents.

**The City Should Consult Best Practices When Developing LEP Websites and Digital Services**

LEP.gov is a website that is operated and maintained by the Civil Rights Division of the U.S. Department of Justice. Their mission is “to share resources and information to help expand and improve language assistance services for individuals with limited English proficiency, in compliance with federal law.” LEP.gov published a resource guide in December 2021 called *Improving Access to Public Websites and Digital Services for Limited English Proficient (LEP) Persons*<sup>14</sup> that provides best practices and examples to help anyone seeking to improve language access to their websites and digital services.

This is important because digital services involve the electronic delivery of information, including data and content, across multiple platforms or devices, such as text, audio, video, mobile applications, and graphics that are transmitted for viewing over the internet. This includes social media (YouTube, Twitter, Facebook, etc.), websites, and applications that enable users to create and share information and content or to participate in social networking. Vital information displayed on these platforms or devices should be accessible in frequently encountered languages.

However, our employee survey found that relatively few survey respondents indicated that LEP individuals use email or the city website to contact city employees. There are many possible reasons for this: potentially poor-quality automated translations, incomplete website localization (i.e., the Google

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<sup>14</sup> LEP.gov. *Improving Access to Public Websites and Digital Services for Limited English Proficient (LEP) Persons*. December 2021. [Improving Access to Public Websites and Digital Services for Limited English Proficient \(LEP\) Persons](#)

Translate extension does not work on every page), or that the City directs LEP individuals to the 311 line to service their needs.<sup>15</sup>

LEP.gov makes several recommendations for effective design strategies to attract and keep LEP visitors on the agency's website. This includes:

- Prominently display multilingual content on your homepage. LEP website visitors are more likely to stay on websites with content in frequently encountered languages other than English or a widely recognized icon representing translated content.
- Post hyperlinks that lead to language-specific landing pages with translated content in one or more non-English languages. These hyperlinks direct LEP visitors to the section of the website where information is available in their preferred language.
- Machine translation applications or software convert written text from one language to another without the involvement of a qualified human translator. This process can reduce the accuracy of posted information when read in translated form. The LEP.gov guidance recommends that, when using machine translation, the agency should have a human translator proofread all content containing vital information before posting it to ensure the accuracy of the translated information. Website content that is translated and checked by qualified human translators is more likely to be accurate and locatable by LEP users.
- Usability testing is a process where LEP users test a website or digital service for ease of use. During a typical usability test session, LEP participants will try to complete specific tasks while observers watch, listen, and take notes. The goal of usability testing is to collect data, identify features or components that are useful to LEP audiences, and identify any usability problems that need to be addressed to improve access for LEP users.

We recommend the City leverage the resources and best practices on the LEP.gov website in developing the Citywide language access policy, to ensure the City's websites are accessible and that the use of machine translation is accurate.

**We Recommend the City Manager:**

**Recommendation 10:** We recommend the City leverage the resources and best practices on the LEP.gov website in developing the Citywide language access policy, to ensure the City's websites are accessible and that the use of machine translation is accurate.

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<sup>15</sup> Clicking "Translate" in the header of the City's official website directs users to call the 311 customer service center, explaining that over 150 languages are offered for callers that "feel more comfortable speaking a language other than English."



### **Factor 3: Relative Importance and Nature of the Benefits or Services that the Program Offers**

The more important the activity, information, service, or program, the more likely language services are needed. Agencies should determine whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual.

#### **The City Should Identify Vital Documents and Determine if they Should be Translated**

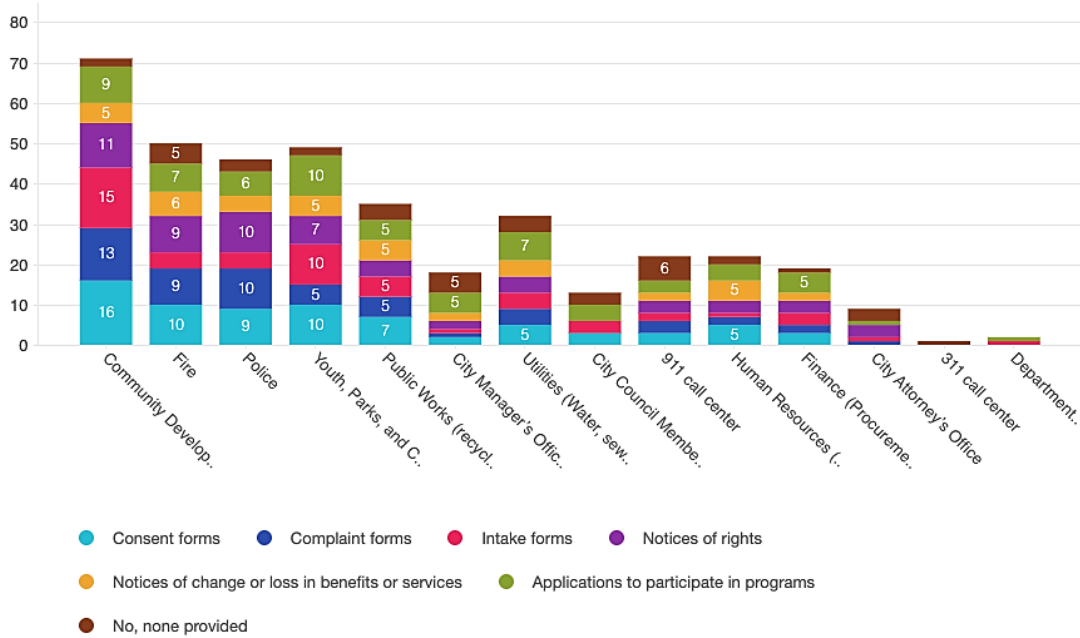
Federal guidance from LEP.gov states that it is important to ensure written materials routinely provided in English are also provided in regularly encountered languages other than English. It is particularly important to ensure that vital documents are translated into languages of regularly encountered LEP groups affected by the program or service. The federal guidance states that:

“A document will be considered vital if it contains information that is critical for obtaining federal services and/or benefits or is required by law. Vital documents include, for example: applications, consent and complaint forms; notices of rights and disciplinary action; notices advising LEP persons of the availability of free language assistance; prison rulebooks; written tests that do not assess English language competency, but rather competency for a particular license, job, or skill for which English competency is not required; and letters or notices that require a response from the beneficiary or client. For instance, if a complaint form is necessary to file a claim with an agency, that complaint form would be vital.”

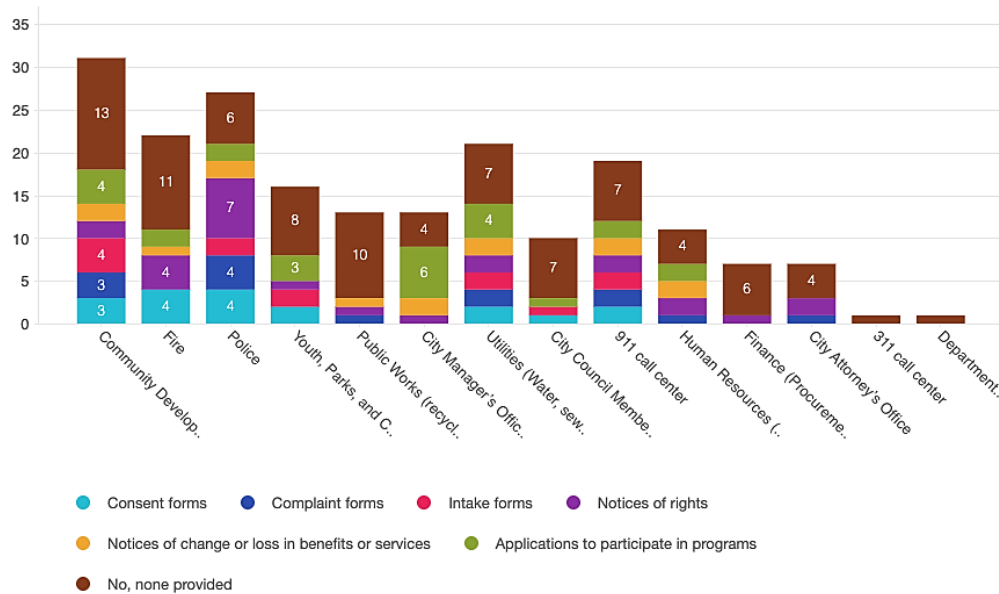
When Nimdzi Insights, LLC surveyed City employees, they found that employees reported providing more documents in English than in other languages. This could potentially indicate that the City has room for improvement regarding the translation of documents. The figures below compare the responses for the distribution of documents in English compared to the number of documents translated in any other language.

**Figure 22: Distribution of Documents in English and Non-English Languages**

What city department do you work for?  
 Does your department distribute any of the following types of content *in English*? (Please select all that apply.)  
 Answered: 140

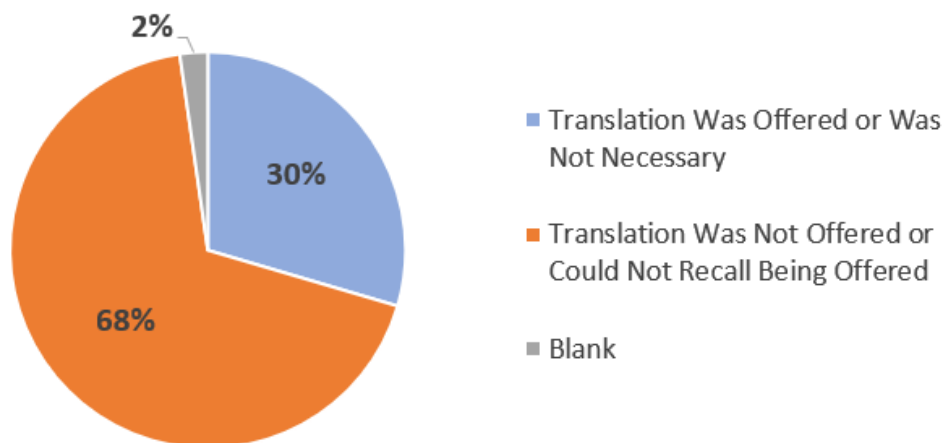


What city department do you work for?  
 Which written documents has your department translated into non-English languages? (Please select all that apply.)  
 Answered: 140



Nimdzi Insights, LLC survey of LEP community members also indicated that LEP individuals are not always provided with translations in situations where vital information is likely to be conveyed. As shown in the next figure, of the 44 LEP individuals that responded to the survey, 68% indicated that they were not offered translation services, or they did not recall being offered translation services.

**Figure 23: LEP Community Member Survey Results on Translation Services**



As some City departments provide written information on a regular basis, we noted the following:

- Two survey respondents indicated that the Police Department did not supply translations. Those individuals identified as Vietnamese and ASL speakers, respectively.
- Three survey respondents indicated that 911 did not supply translations (with those individuals identifying as Spanish speakers), 9 more could not recall being offered them.
- Two survey respondents indicated that they could not recall whether the Fire Department had offered translations.
- Two could not recall whether 311 had offered translations.

As noted previously in this report, Spanish is the most prevalent non-English language spoken by LEP individuals in Sacramento. For all other LEP languages (including those that are encountered on a very infrequent basis) options for translating vital documents include:

- Make translations available upon request.
- Provide vital documents to interpreters (whether in-person, or by phone) who can explain the contents of the written documents to the LEP individual (i.e., “sight-translate” and assist in filling out any documents that require the LEP individual to provide information.

Federal LEP guidance recognizes that translating all written materials into all languages likely present in a large city is unrealistic. Although recent technological advances have made it easier for agencies to store and share translated documents, such an undertaking would incur substantial costs and require substantial resources. The decision as to what program-related documents should be translated into languages other than English is a difficult one. While documents generated by an agency may be helpful in understanding a program or activity, not all are critical or vital to ensuring meaningful access. We

recommend developing guidance for City departments to identify their vital documents and determine how to provide robust language services for those documents.

**We Recommend the City Manager:**

**Recommendation 11:** Develop guidance for City departments to identify their vital documents and determine how to provide robust language services for those documents.

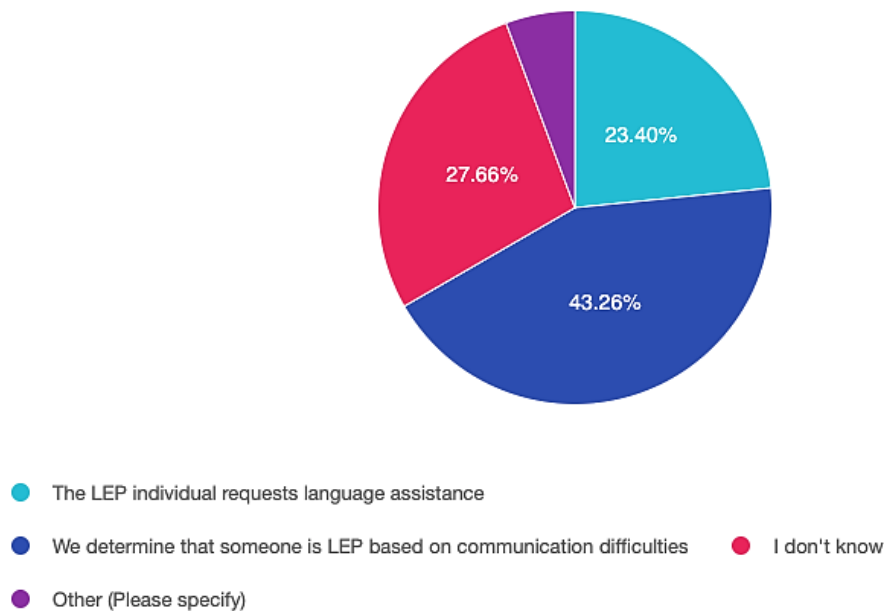
**City Employees Should Be Trained on How to Determine if an Individual is LEP and How and When to Offer Language Assistance**

As shown in the next figure, the City employee survey revealed that 27% of respondents indicated that they do not know how their department determines LEP status.

**Figure 24: Employee Survey Data on Identifying LEP Individuals**

How does your department usually identify that someone is LEP?

Answered: 141 Skipped: 205

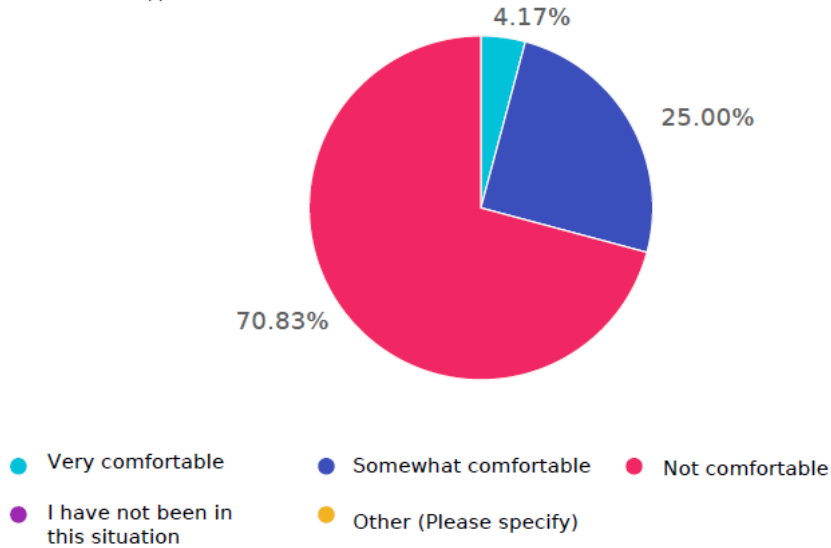


Furthermore, the majority of LEP respondents indicated that they were less than very comfortable asking city employees for language assistance. Of the 24 self-identified LEP respondents who completed the English version of the survey, 17 indicated that they were not comfortable at all. Some of the write-in responses indicated that community members were shy about their lack of English proficiency. Others were not aware the City offered language services or thought that it might be a hassle to use the service.

**Figure 25: LEP Community Member Survey Responses on Comfort Level of Asking for Help (English Version)**

How comfortable are you asking a City employee for help when you have difficulty communicating in English?

Answered: 24 Skipped: 146

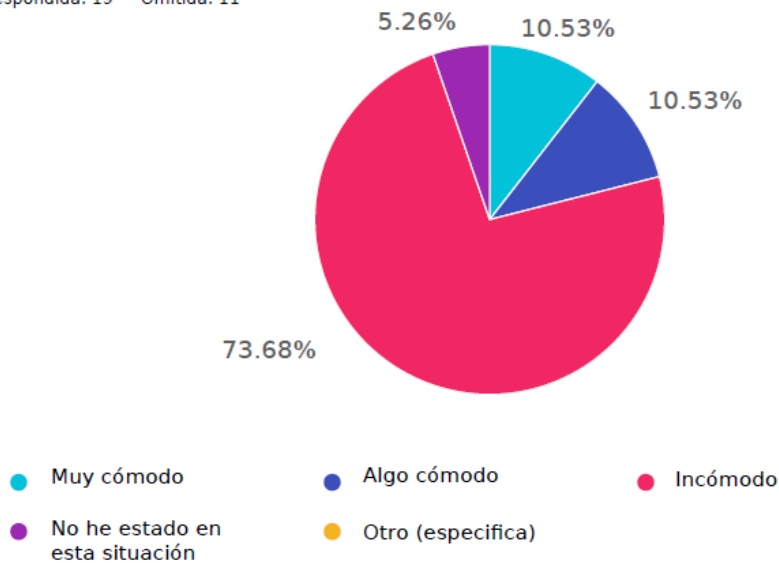


The Spanish version of the survey mirrors the results in the English version: 16 out of 19 indicated they are less than very comfortable, with 14 indicating that they are not comfortable at all.

**Figure 26: LEP Community Member Survey Responses on Comfort Level of Asking for Help (Spanish Version)**

¿Qué tan cómodo te sientes pidiendo ayuda a un servidor público de la ciudad cuando tienes dificultades para comunicarte en inglés?

Respondida: 19 Omitida: 11



Federal guidance suggest that assistance should be offered at the first sign of communication difficulties if the situation concerns the individual’s rights, benefits, health, or safety. As indicated in the LEP survey data, some individuals are not comfortable proactively requesting assistance. City employees can help by asking what language the individual is most comfortable communicating in and offering an interpreter (whether bilingual staff or an over-the-phone or video-remote interpreter).

When interacting in person, visual aids such as language identification posters and nametags identifying bilingual staff can be especially helpful in allowing individuals to indicate their language preference.

As some individuals may not be comfortable asking for assistance, or even aware that the City offer languages services, we recommend that City employees be trained on how to identify LEP individuals and when to offer language assistance.

**We Recommend the City Manager:**

**Recommendation 12:** Train City employees on how to determine if an individual is LEP and how and when to offer language assistance.

### The City Should More Proactively Inform the Public About the Availability of Language Access Services

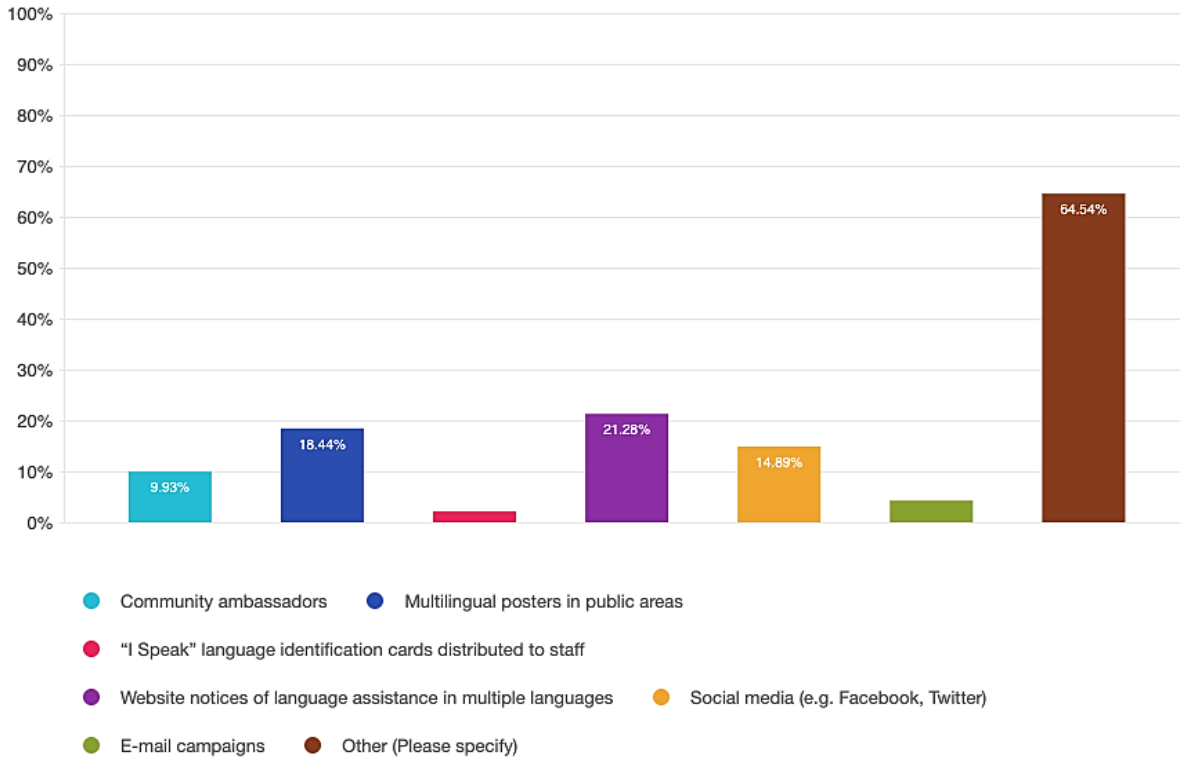
Proactively informing the public about the availability of language access services will help to foster engagement. Based on survey results, it is likely that the City is not using sufficient resources to proactively inform the public about the availability of language access services and/or City employees are unaware of what steps they can take to communicate with LEP individuals about their programs and services.

The next figure shows the results of the employee survey question that asked how members of the public are informed about language assistance services.

**Figure 27: Employee Survey Data on Informing the Public About Language Access Services**

How do you inform members of the public about the availability of language assistance services?  
Select all that apply.

Answered: 141 Skipped: 205



Of the 91 write-in responses to the question “How do you inform members of the public about the availability of language assistance services?” Indicated as “Other (Please specify)” in the above chart, the results were as follows:

- 32 indicated that they are unaware of any means their department uses.
- 10 indicated that they don’t use any means.
- 14 indicated that the question was not applicable (for example, if they don’t interact with the public.)
- 9 indicated that they inform LEP individuals on the phone.
- 9 indicated that staff notify the LEP individual onsite when communication difficulties become apparent.
- 6 indicated that notices were printed on city forms, letters, etc.
- The remaining 11 were left blank.

Additionally, the LEP community survey data indicate that the majority (74 out of 141) of respondents were not aware that the City provides free translation and interpretation services.

Other means of proactively notifying LEP and Deaf individuals of the availability of language services should also be employed. One example of how to overcome hesitancy about requesting language access services is the use of “I Speak” language ID cards. King County, Washington has developed an “I Speak” toolkit. The toolkit includes an “I Speak” card for consumers to bring with them when seeking care, which identifies the language they speak, and a “Know Your Rights” text to inform both consumers and providers regarding the use of interpreter services. The figure below is an example of the “I Speak” card for Chinese Simplified (Mandarin and Cantonese).

**Figure 28: Example of "I Speak" Cards Offered by King County, WA**



Source: King County Website. [https://kingcounty.gov/~media/elected/executive/equity-social-justice/Immigrant-and-Refugee/LanguageAccessOrd/I\\_Speak\\_Cards\\_FINAL.ashx?la=en](https://kingcounty.gov/~media/elected/executive/equity-social-justice/Immigrant-and-Refugee/LanguageAccessOrd/I_Speak_Cards_FINAL.ashx?la=en)



Furthermore, public entities should take appropriate steps to ensure that communications with Deaf individuals are as effective as communications with others. Additionally, public entities must furnish appropriate aids and services where necessary to ensure that such communications are possible.

Ensuring that Deaf individuals are also notified of the availability of interpreters is one way to demonstrate that all appropriate steps have been taken to ensure effective and timely communication. As another example, the Minnesota Department of Human Services offers this card for Deaf community members to provide when they require in-person services.

**Figure 29: Example of a Communication Card for Deaf Individuals Offered by the Minnesota Department of Health and Human Services**



Source: Minnesota Department of Human Services. <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-6556A-ENG>

Website notices and email campaigns are additional methods the City might consider implementing at a broader scale so that LEP and Deaf individuals are informed of the City’s language access services.

Another service the City may want to proactively consider marketing is including a protocol for allowing both LEP and Deaf individuals to request an interpreter for live events. Advance notice of up to 48 hours

would be in line with timeframes other California municipalities have adopted in their language access plans. Notice of this option could be printed on event flyers, posted on relevant social media posts, etc.

We recommend the City employ additional means to proactively notify LEP individuals of the availability of language services.

**We Recommend the City Manager:**

**Recommendation 13:** Employ additional means to proactively notify LEP individuals of the availability of language services.

### The City Should Provide a Complaint Process so that LEP Individuals Can File a Complaint if they Receive Poor Service

The Dymally-Alatorre Bilingual Services Act<sup>16</sup> requires that State agencies “translate and make accessible on the homepage of its Internet Web site, forms and processes for submitting complaints of alleged violations of this chapter, as referenced in paragraph (15) of subdivision (b) of Section 7299.4. The forms and processes shall be translated into all languages spoken by a substantial number of non-English-speaking people served by the state agency. Translated copies of the forms shall be printed and made available in the statewide office and any local office or facility of the state agency.” While this requirement applies to State agencies, the City of Sacramento could leverage this guidance in providing services to the residents of Sacramento.

The U.S. Department of Justice Civil Rights Division *Language Access Assessment and Planning Tool*<sup>17</sup> also recommends a process for “soliciting feedback from community-based organizations and other stakeholders about the agency’s effectiveness and performance in ensuring meaningful access for LEP individuals” and “monitoring your agency’s response rate to complaints or suggestions by LEP individuals, community members, and employees regarding language assistance services provided.”

Nimdzi Insights, LLC noted that the City website does not have a complaint form that LEP individuals can file if the language services they were provided were not of good quality. While a complaint form is not required, providing a formal feedback mechanism for LEP community input on an ongoing basis will provide the City with the opportunity to adjust to any shortcomings in the City’s language access services. We recommend the City establish a language access complaint process to provide feedback about the City’s language access services.

**We Recommend the City Manager:**

**Recommendation 14:** Develop a mechanism that allows LEP individuals to file a complaint to provide feedback about the City’s language access services.

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<sup>16</sup> California Government Code Chapter 17.5. *Use of A foreign Language in Public Services*. [7299.3] [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1](https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=7.&chapter=17.5.&lawCode=GOV&title=1)

<sup>17</sup> U.S. Department of Justice, Civil Rights Division. *Language Access Assessment and Planning Tool* for Federally Conducted and Federally Assisted Programs. 2011. [https://www.lep.gov/sites/lep/files/resources/2011\\_Language\\_Access\\_Assessment\\_and\\_Planning\\_Tool.pdf](https://www.lep.gov/sites/lep/files/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf)

## Factor 4: The Resources Available in Relation to the Cost of Providing Language Services

Agencies should consider the most cost-effective means of delivering competent and accurate language services and determine the resources available to assist persons with limited English proficiency. City employees were surveyed to evaluate how much their departments spend on language access services, unfortunately this method did not produce sufficient data on the resources allocated to individual departments for language services.

As previously mentioned, City departments can leverage citywide contracts with language services providers (oral and written) for an amount not-to-exceed \$300,000. The City also provides bilingual employee incentives at a cost of about \$200,000 per year.

The City's current processes require that City employees determine how and when to provide language access services. These services are funded by the department the employee works in, or the department that contacted the language services provider. City departments leverage the existing citywide contracts and then the language services provider bills the department per use. It is important to note that smaller programs with more limited budgets are not expected to provide the same level of language services as larger programs with larger budgets. In addition, "reasonable steps" may cease to be reasonable where the costs imposed substantially exceed the benefits.

The City Manager's Office may want to consider providing on-going funding for citywide language access marketing, so that more community members are aware of the language access services provided by the City. Federal guidance suggest that marketing efforts should be targeted based on the volume of LEP individuals that interact with the program or department. Another suggestion is to tie LEP efforts to the mission of the larger agency to enable budgeting for LEP access when it falls in line with mission-critical objectives (such as national security or emergency preparedness.)

The U.S. Department of Justice Civil Rights Division *Language Access Assessment and Planning Tool*<sup>18</sup> also recommends appointing a centralized LEP coordinator, or group of individuals, that can answer questions about LEP resources and monitor/update the agency's response to LEP needs.

### **We Recommend the City Manager:**

**Recommendation 15:** Consider providing on-going funding for citywide language access marketing, so that more community members are aware of the language access services provided by the City.

**Recommendation 16:** Consider appointing a citywide LEP coordinator or a working group of individuals from different departments to regularly monitor/update the agency's response to LEP needs.

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<sup>18</sup> U.S. Department of Justice, Civil Rights Division. Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs. 2011.

[https://www.lep.gov/sites/lep/files/resources/2011\\_Language\\_Access\\_Assessment\\_and\\_Planning\\_Tool.pdf](https://www.lep.gov/sites/lep/files/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf)

# Appendix: Language Access Survey Questions for Community Members and LEP Individuals



## City of Sacramento Language Access Survey

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The City of Sacramento Language Access Survey

For Community Organizations and LEP individuals

The City of Sacramento has contracted with Nimdzi Insights, an independent research organization, to design a citywide language access policy. The goal of this policy is to ensure that individuals who are not fluent in English can still access public services and benefits and participate fully in civic life.

Throughout this survey, we will use the abbreviation LEP to refer to individuals who are limited in English proficiency. This term refers to anyone who speaks, reads, and/or understands English less than fluently, usually because they are not native English speakers. Not all non-native English speakers classify as LEP, however (even if they speak another language at home). For the purposes of this survey, the term refers to anyone who would require language assistance (translation or interpretation) in order to understand the full content of a written communication or spoken interaction without any omissions or simplifications.

\*How comfortable are you communicating in English?

- Very comfortable; I am fully fluent in English
- Somewhat comfortable; discussions of less-common topics like medical or legal can be difficult to understand
- Not very comfortable; everyday communications can be difficult
- Not at all comfortable

Any additional comments?

\*What language do you use most often when you communicate with City employees?

- English
- Spanish
- Mandarin
- Cantonese
- Hmong
- Tagalog
- Vietnamese
- Russian
- Arabic
- Other (Please specify)

\*Before taking this survey, were you aware that the City of Sacramento offers free translation and interpretation services?

- Yes  No
- 

\*How comfortable are you asking a City employee for help when you have difficulty communicating in English?

- Very comfortable  Somewhat comfortable  Not comfortable  
 I have not been in this situation  
 Other (Please specify)

\*Which City department do you communicate with most frequently? (including in-person, by email, text or on social media).

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> City Council Member or Council Staff                                      | <input type="checkbox"/> City Manager's Office (Media, cannabis, climate, diversity)       | <input type="checkbox"/> Community Development (Animal Care Services, code compliance, building permits) |
| <input type="checkbox"/> 311 call center   | <input type="checkbox"/> 911 call center   | <input type="checkbox"/> Fire Department   |
| <input type="checkbox"/> Police Department   | <input type="checkbox"/> Finance (Procurement, accounting) Department                      | <input type="checkbox"/> Utilities (Water, sewers) Department  |
| <input type="checkbox"/> Human Resources (Jobs)  | <input type="checkbox"/> Youth, Parks, and Community Enrichment (Parks, Community Centers) | <input type="checkbox"/> Public Works (recycling, solid waste/trash, streets, parking)                   |
| <input type="checkbox"/> Department of Community Response (Homeless Services, Violence Prevention) | <input type="checkbox"/> City Clerk's Office (Council and commission meetings)             | <input type="checkbox"/> City Attorney's Office  |
| <input type="checkbox"/> City Treasurer's Office   | <input type="checkbox"/> None  |  |
| <input type="checkbox"/> Other (Please specify)  |  |  |

\*When you communicate with the \${Q-E}, does anyone offer you translations of documents or other written content?

- Yes                       No                       I don't remember
- I have not needed to read or fill out any documents

Any additional comments?

---

If you have ever received any written translations from the \${Q-E}, how would you rate the overall quality?

- Good                       Fair                       Poor

Any additional comments?

---

\*Has anyone from the \${Q-E} ever offered to provide you an interpreter (either during your visit or in advance for a future meeting or public event)?

- Yes, they arranged for an interpreter                       No                       I don't remember
- I have not needed an interpreter

Any additional comments?

\*What type of interpretation service was offered?

- In-person interpreter       Over-the-phone interpreter       Video interpreter

Other (Please specify)

---

Please rate the quality of the interpreter that the \${Q-E} provided you.

- Good - few to no communication barriers       Fair - there were some details or nuances that were difficult to understand, but I understood the content of the message       Poor - the interpreter had substantial difficulty communicating the content in my language

---

\*Are you able to get what you need when you contact the \${Q-E}?

- Yes       No

Other (Please specify)

If you have ever received any written translations from the \${Q-L}, how would you rate the overall quality?

- Good                       Fair                       Poor

Any additional comments?

---

\*Has anyone from the \${Q-L} ever offered to provide you an interpreter (either during your visit or in advance for a future meeting or public event)?

- Yes, they arranged for an interpreter                       No                       I don't remember
- I have not needed an interpreter

Any additional comments?

---

\*What type of interpretation service was offered?

- In-person interpreter                       Over-the-phone interpreter                       Video interpreter
- Other (Please specify)

---

Please rate the quality of the interpreter that the \${Q-L} provided you.

- Good - few to no communication barriers                       Fair - there were some details or nuances that were difficult to understand, but I understood the content of the message                       Poor - the interpreter had substantial difficulty communicating the content in my language



Have you communicated with any other City department? If so, which?

- City Council Member or Council Staff
- City Manager's Office (Media, cannabis, climate, diversity)
- Community Development (Animal Care Services, code compliance, building permits)
- 311 call center
- 911 call center
- Fire
- Police
- Finance (Procurement, accounting)
- Utilities (Water, sewers)
- Human Resources (Jobs)
- Youth, Parks, and Community Enrichment (Parks, Community Centers)
- Public Works (recycling, solid waste/trash, streets, parking)
- Department of Community Response (Homeless Services, Violence Prevention)
- City Clerk's Office (Council and commission meetings)
- City Attorney's Office
- City Treasurer's Office
- Other (Please specify)

---

\*When you communicate with the \${Q-L}, does anyone offer you translations of documents or other written content?

- Yes
- No
- I don't remember
- I have not needed to read or fill out any documents

Any additional comments?

\*Are you able to get what you need when you contact the \${Q-L}?

Yes  No

Other (Please specify)

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Have you received language services from any other city departments that you did not mention above? Please comment below on the service you received.

Do you think the City could do anything to communicate more effectively with people who speak your language?

## MEMORANDUM

**DATE:** November 23, 2022

**TO:** Jorge Oseguera, City Auditor

**FROM:** Amy Williams, City Manager Chief of Staff   
Amy E Williams (Nov 23, 2022, 11:14 PST)

**SUBJECT: LANGUAGE ACCESS GAP ANALYSIS, SURVEY RESULTS, AND POLICY RECOMMENDATIONS**

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The City Manager's Office (CMO) acknowledges receipt of the Office of the City Auditor's report on the City's language access services and thanks the Auditor and staff for their work. As noted in the report, the City Auditor's Office partnered with the City Manager's Office and third-party consultant Nimdzi Insights, LLC, to perform a language access gap analysis, conduct surveys, and provide recommendations for improvement.

Overall, Nimdzi found that the City has mechanisms in place to assist limited English proficient (LEP) individuals with language access resources and makes efforts to reach the City's LEP communities including but not limited to: telephone interpretation services, on-site interpretation and translation services, translated outreach materials, bilingual City employees program, etc.

Nimdzi also reviewed federal and state law, regulations, and guidance on language access services to use as a benchmark in evaluating the City's language access services. Neither Nimdzi nor the City Auditor's Office cited any specific areas where the City is out of state or federal compliance. Nevertheless, there are several improvements the City can and will make to streamline and enhance its language access. For example, it would be beneficial to develop standardized Citywide guidance and training to assist all departments in evaluating and determining what reasonable and appropriate steps need to be taken to provide meaningful access to LEP persons.

The City Auditor's Report lists 16 recommendations regarding the City's language access services. Many of the recommendations listed below will be incorporated into a Citywide Language Access Policy that will formalize our processes, training, marketing and outreach, and protocols. Below please find CMO's response to each audit recommendation.

**Recommendation 1:** Establish and maintain robust language access capabilities for Spanish speaking LEP residents.

**Response**

The City Manager's Office will continue to provide language access to Spanish-speaking LEP residents with tools in place including but not limited to: employee bilingual staff, language services, on-call translators, community based organizations and engagement through our community partners with improved marketing and outreach program.

**Recommendation 2:** Evaluate whether any department programs serve a significantly higher LEP population than that of the overall citywide population and apply more robust languages services towards those programs.

**Response**

The City Manager's Office will develop a citywide policy that will provide guidelines for departments and project managers to better evaluate the possible need of translations in broader languages.

**Recommendation 3:** The City should refer to the U.S. Census and Language Link usage data from the City's 311 and 911 departments to regularly evaluate the number and proportion of LEP individuals and use this information in assessing the sufficiency of the City's language access services. The City may also wish to review demographic data from other local organizations (school systems, community organizations, legal aid entities, etc.).

**Response**

Currently, city staff does refer to the U.S. Census and Language Link usage data from the City's 311 and 911 departments to regularly evaluate the number and proportion of LEP individuals and use this information in assessing the sufficiency of the City's language access services. The City Manager's Office will develop a citywide policy that will recommend continued evaluation of the U.S. Census and Language Link usage data from the City's 311 and 911 departments to regularly evaluate the number and proportion of LEP individuals and use this information in assessing the sufficiency of the City's language access services.

**Recommendation 4:** Provide guidance on whether programs should perform additional outreach to LEP persons to increase the frequency of contact with LEP language groups.

**Response**

The City Manager's Office will work with the Community Engagement team to increase the frequency of contact with LEP language groups.

**Recommendation 5:** Provide guidance on whether programs that interact frequently with LEP individuals should provide meaningful language access services at a broader scale than departments who have infrequent encounters.

**Response**

The City Manager's Office will work with the citywide communications team to ensure that meaningful language access services are provided at a broader scale.

**Recommendation 6:** Evaluate whether funding for language services is sufficient based on the volume of LEP individuals that interact with City department or programs and the relative importance of the services they provide.

**Response**

The City Manager's Office will evaluate if increased funding is necessary and if these resources should be consolidated under one function to better track requests and services, as many requests are fulfilled each year for outside translation services. Currently, City departments can leverage citywide contracts with language services providers (oral and written) for an amount not-to-exceed \$300,000. The City also provides bilingual employee incentives at a cost of about \$200,000 per year.

**Recommendation 7:** Train City staff on language access procedures. This training may include the process for arranging interpreters where appropriate, the list of providers the City currently contracts with and what services they provide, and the differences between translation and interpretation services.

**Response**

The City Manager's Office will develop a policy that will inform city staff of language access procedures and research ongoing training to include in the CityYOU Diversity Equity and Inclusion curriculum.

**Recommendation 8:** Provide guidance and train staff on how to respond in situations where a minor or family member is asked to serve as an interpreter.

**Response**

The City Manager's Office will develop a citywide policy that will include training and direction for staff to respond to situations where a minor or family member is asked to serve as an interpreter.

**Recommendation 9:** Provide direction on how and when bilingual staff are used for translation services and when professional translators should be used for vital documents, website content, and for lengthy documents.

**Response**

The City Manager's Office will develop a citywide policy that will include comprehensive direction for staff.

**Recommendation 10:** recommend the City leverage the resources and best practices on the LEP.gov website in developing the Citywide language access policy, to ensure the City's websites are accessible and that the use of machine translation is accurate.

**Response**

The City Manager's Office in coordination with the Information Technology Department, Web-team will continue to ensure that the City's website and digital marketing meets current local government standards.

**Recommendation 11:** Develop guidance for City departments to identify their vital documents and determine how to provide robust language services for those documents.

**Response**

The City Manager's Office will work with City Attorney's Office on developing and providing guidelines on how to identify vital documents and legal requirements to translate.

**Recommendation 12:** Train City employees on how to determine if an individual is LEP and how and when to offer language assistance.

**Response**

The City Manager's Office will work with Departments to ensure that employees use the Language Link resource when helping an individual who may be LEP.

**Recommendation 13:** Employ additional means to proactively notify LEP individuals of the availability of language services.

**Response**

The City Manager's Office will coordinate with the Community Engagement team to improve marketing of the availability of language services already provided by the city.

**Recommendation 14:** Develop a mechanism that allows LEP individuals to file a complaint to provide feedback about the City's language access services.

**Response**

Improved marketing of the language access resources will be part of the citywide policy, and within the marketing strategy there will be an identified mechanism that allows LEP individuals to file a complaint.

**Recommendation 15:** Consider providing on-going funding for citywide language access marketing, so that more community members are aware of the language access services provided by the City.

**Response**

Further funding will be evaluated as needed to implement the new policy and marketing and outreach plans.

**Recommendation 16:** Consider appointing a citywide LEP coordinator or a working group of individuals from different departments to regularly monitor/update the agency's response to LEP needs.

**Response**

The City currently has a working group that assisted with the request for proposal for the language access work. This working group will continue to assist with the development of a policy and ongoing management plan.